

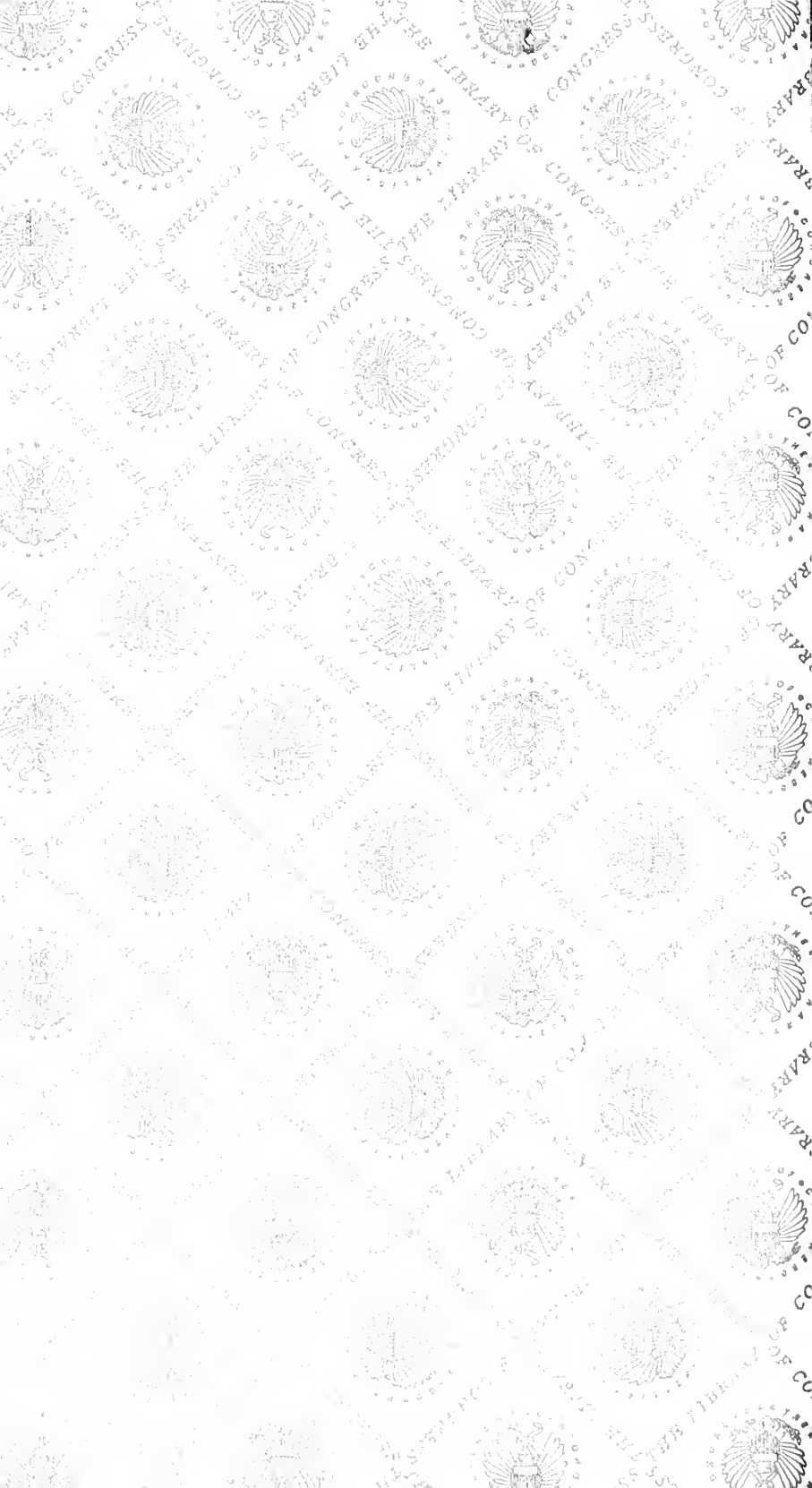
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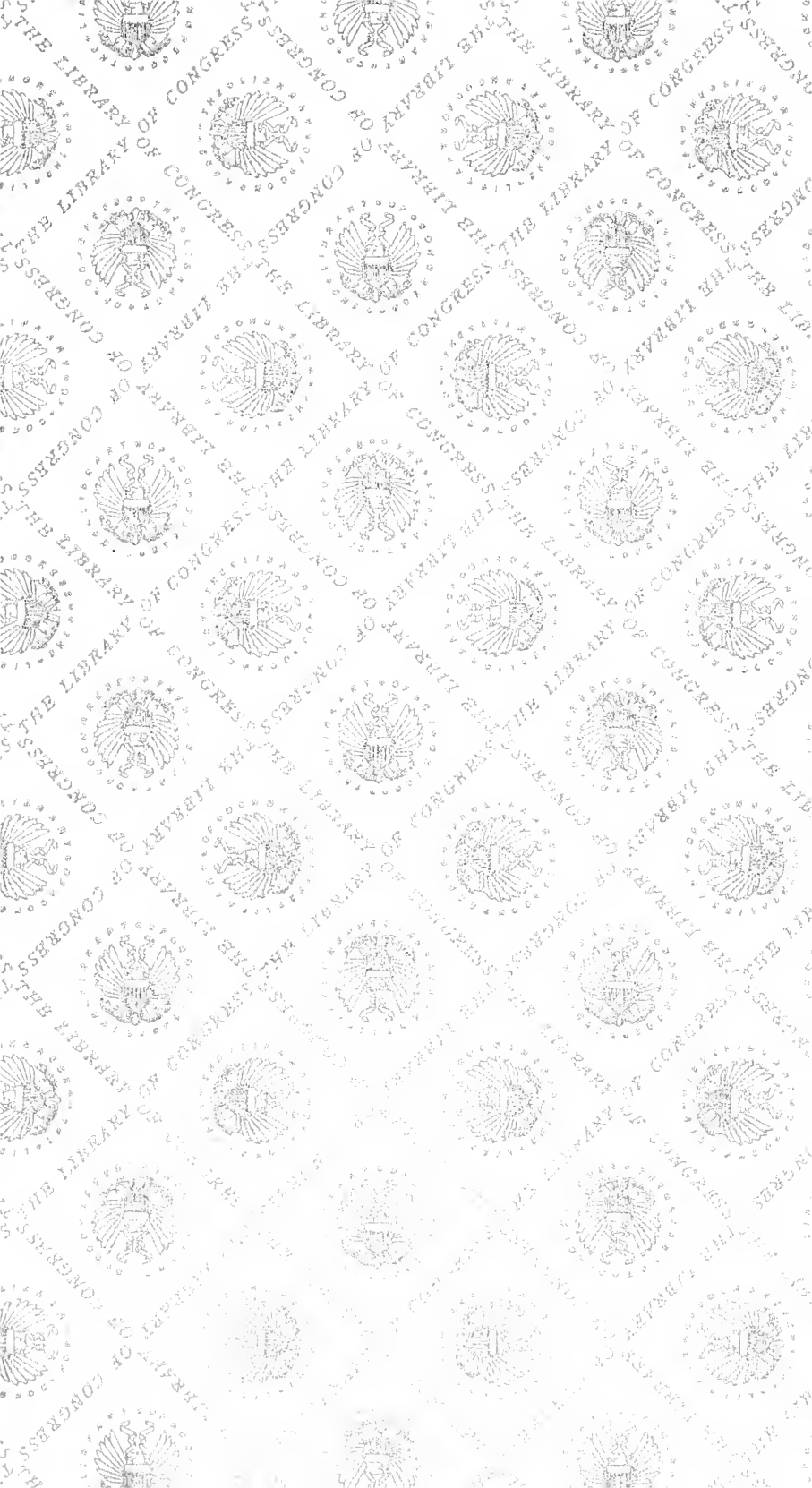
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# S P E E C H

OF

# CASSIUS M. CLAY,

## AT FRANKFORT, KY.,

FROM THE

## Capitol Steps, January 10, 1860.

Reported Exclusively for the Cincinnati Gazette.

**ARGUMENTUM.**—Gov. Magoffin in his message, and Vice President Breckinridge, before the Kentucky Legislature, had assailed the principles and aims of the Republican party. Those Mr. Clay aspired to defend. Following the event of John Brown's raid and execution, the suppression of the Free South Newspaper at Newport by violence, the expulsion of John G. Fee and associates from Madison county, Ky., and the design on the part of the Slave Oligarchy to perpetuate the reign of terror in all the South; it was generally given out that Mr. Clay would be silenced. The halter with which Brown was hung, the bloody lance which he used in battle—a present from Gov. Wise to Gov. Magoffin—was freely handed about and shown in Frankfort. Whilst a central journal openly put it that if Clay was allowed to speak in the Capitol, Kentuckians would be proven cowards.

Mr. Clay did not ask for the Representatives' Hall; but it was generally ceded that by tacit consent he should occupy it, and the door keeper, Mr. Grey, promised to have it open and lighted up. But at the appointed hour the Hall was closed and dark, the night was gloomy and a storm threatening, the gaslights of the city were darkened, and in the "very immense audience," as described by the Reporter of the Louisville Journal, none spoke above a whisper. As Mr. Clay rose to speak, innumerable lights were brought and distributed by unknown hands throughout the crowd, and for more than three hours he was listened to amidst profound silence or occasional applause. The difficulty of arranging his references makes the report of the speech lose much of its unity; but truth is considered of more importance than rhetorical arrangement.

**KENTUCKIANS!**—That most profound and philosophical Historian, in my opinion, of all ages—Gibbon, speaks of courage and sincerity or its equivalent, truth, as the greatest of human virtues. The brave man relying upon his courage, never questions that of another. Those who know me, know full well I am not in the habit of speaking of my courage, nor have I indulged in

that other—what I consider a bad habit of Kentuckians in general, of speaking of their courage. I will, however, transgress my ordinary rule, and speak of it to-night. If I thought—if I had thought that you, whose blood has illustrated every battle-field from the beginning of our government to this day, were wanting in that virtue and if I did not know that your illustrious ancestors, beginning with Boone and Kenton, down to this day, possessed this virtue; that I was in the land of the McKees, the Marshalls, the Davises, the Robinsons, the Clarkes, the Breckinridges, the Clays, the Crittendens, and a host of other men that have made you illustrious among men, then I might question your courage: but, it is because I know that I am here, among such men and in Kentucky, that I speak here to-night. True, brave men are always generous—always! and placing implicit confidence in this great fundamental truth, I have never feared to go forth through this broad and glorious land of ours, relying upon the justice and magnanimity of Kentuckians. Never asked, I never cared whether they were Democrats, Republicans, Americans or of any other party denomination. Thank God, gentlemen, this trust of mine has never been falsified. Whether I stand in your State House or whether I stand outside of your State House—whether I am surrounded by light or covered by darkness, I feel equally safe while I am among Kentuckians.

Gentlemen, there are some peculiar circumstances attending this, my address to-night, that call for allusions that I am not in the habit of making. It has been said—I know not what the position and power and influence and talent and integrity of the party from which it came, that if Cass. Clay was allowed to speak to-night in the city of Frankfort, that the world would believe the Kentuckians are cowards, and that John Brown had intimidated, or "scared" to the word, Virginia, so it would go out that I had intimidated the million of such men of Kentucky as surround me to-night. Gentlemen, what madness, what folly is this. It is because you are brave—it is because your courage is unquestioned.

and unquestionable that there is a confidence abroad not only among men, but among women and little children, that I will speak here to-night, and be not only heard but respectfully treated. Shame on such a sentiment as that. How would it do for you, whose name has become synonymous with the word courage, to hear it said that you go out to silence the voice of Cass. Clay in death to prove that you are men. I will not elaborate this idea. The very women share none of this intimidation. I am proud to say, though I do not often speak of these things, the wife of Cass. Clay has written to him this day, not that she hopes I may escape alive from a scene of intimidating threats that have come from high and potent sources—no! she is a Kentucky born woman, and such a thing never enters her thoughts: and, she “prays God that I may most gloriously vindicate my principles to-night.” You men who hear me to-night; the very women who hear this sentiment, will go away better men and better women for the hearing. The time will come when to those who shall succeed us, if fortune shall suffer them, it will be a proud reflection that you thus vindicated your title to the name of courageous men.

#### NO PERSONAL FEELINGS ENGAGED.

Some gentlemen have supposed that inasmuch as the publication which I made, stated that I would here, in this place and at this time, respond to the message of Governor Magoffin, and the late speech of your Senator elect, Mr. Breckinridge, that I had some personal feelings against those distinguished gentlemen, and that some personal or private ends were to be subserved at this time by attacking these gentlemen. Nothing was further from my purpose. The only inauguration that ever I attended, and I am now forty-nine years of age, was the inauguration of Gov. Magoffin. I had learned to respect him from what I heard of him and what I had seen of him. I regard him as a brave and generous man. So far as the distinguished Senator elect from Kentucky is concerned, all men who know me, know that amongst all the distinguished families of which Kentucky boasts, that I have always been proud of the Breckinridge name. I have from earliest life looked to some portions of them as the guides and pilots of my political opinions. I have been personally associated with them; my family has been associated with them. I would not have said these things did not the occasion call for it, and did I not know that these insinuations had been made, I would say that of all the men whose names are now presented to the American people by the Democracy with regard to the next presidency, that I would not see any one attain that high position sooner than John C. Breckinridge, of Kentucky.

#### EQUAL RIGHTS.

But, gentlemen, neither Governor Magoffin nor Senator Breckinridge are infallible, and, here to-night, humble as I may be, unhonored as I am by having these doors closed upon me, a native of Kentucky and a man that belongs to one of the great parties of the United States, I mean to be the peer of the gentlemen, and equal in every respect so far as man is equal to man. God knows I do not detract from, nor do I envy the honors of these distinguished gentlemen, for whatever else can be said of them, it cannot be denied that they wear their honors gracefully and with becoming humility.

We must recollect that in this Commonwealth

we stand on a broad basis of equality, and that whatever other people may think, I have just as much right to be heard here and now as other men. Let my opinions be what they may, those opinions ought to be fairly canvassed, and if they are good, you should vindicate them by carrying them into practice, and if they be bad, then it is your duty to reject them and take those that are better.

#### IS SINCERELY AN EMANCIPATIONIST.

As I said in the beginning, Gibbon says of the two greatest virtues, sincerity is one. This, gentlemen, whatever may be my short comings with regard to courage, I believe my sincerity and love of truth have not been questioned, and although I am here alone, one among a million, differing from you, it possibly may be, I know that you will credit that I believe that which I say I believe. I do not deny that, following the faith of our fathers, I am an emancipationist. How would I commend myself, then, to you, if having made this avowal everywhere within the limits of the Commonwealth, I should conceal or deny my sentiments? He is not a dangerous man that goes about openly and above board, avowing what his sentiments are, but he is the dangerous man, who, having sentiments, denies them, and you all know and feel this truth, and therefore it is because you believe I have been true in my utterance, that I have been able to stand comparatively alone in the State, telling these things. I am, upon the subject of emancipation, just where I always was. But I do not now intend to discuss this subject. I do not now propose to enter into a debate as to whether we should, by gradual, and distant, and prospective means, get clear of Slavery. That I have done, upon almost every stump and in every county of this Commonwealth, again and again. That is not the present issue. It cannot be denied, and you all know it, that I have always stood fairly and squarely upon the constitution and the laws, that I have ever been obedient to law, a law and order man.

#### THE MADISON COUNTY MOBS.

Now, gentlemen, for a few personal explanations, before I enter upon the vindication of the Republican party. Allow me here to state what has been and what yet is my position in my own county. There are distinguished gentlemen here, members of the Legislature and outside of the Legislative body, of Madison, and they know that that which I say is so, is truth. I allude to the expulsion of the Rev. John G. Fee, of Kentucky, and some nineteen other citizens of the Commonwealth by birth and choice, from their homes, and their departure into exile.

Some three years since, on the Fourth day of July, when Mr. Fee returned again to the State after a temporary absence, he took the ground of what may be called the radical abolition party, that as a citizen of the Commonwealth, he owed no allegiance to the constitution and laws adopted and enacted on the subject of slavery, and that he planted himself on the higher law of natural right. Although I accorded to him, that which I now believe and still assert, that he was honest—that he was pure in his purpose, that he was actuated by the highest love of Christian charity, yet it was not the ground upon which I stood, as I was a constitution and law loving man, I argued to him that I could not and should no longer stand by him, that I owed it to myself and owed it to those laboring men of the country

who held no slaves, whose cause I pleaded, and who confided in my leadership, to say to them that his was an unsafe and untenable position, and one which no man can hold; that it would immediately bring them into conflict with the laws of the country, and that that position, no matter by whom strengthened, could not be maintained. That is what I told him and them. Well now I am no Don Quixote to go forward and fight the battles of every man who may venture an opinion upon the subject of slavery; and am I to be accused as a seditious man and denounced by others as a bully because I was willing to stand by those men who took and maintained the ground that I had taught them to stand upon? I put it to every man that hears me if it would not have been base in me, after I persuaded men comparatively ignorant to come out and take ground against slavery, if I had deserted them? Although I love life as much as any man, and have perhaps as much to live for as any man, I would die ten thousand deaths before I would be guilty of such base ingratitude. I say this, that wherever a man, planting himself on the broad constitutional ground of our fathers of 1776, follows me, I will stand by and defend him to the best of my ability, and give him such protection as I can when the laws of the country refuse to give him what the constitution guarantees to him as his right. Therefore I could not stand by Fee and his associates. I believe he is as pure a man as ever I knew, yet I did not believe his position was tenable, and I was not willing to take ground with him. I not only proclaimed this on the stump, but at a later day when I was asked by men sympathizing with him, coming from other portions of the United States, if I could not conscientiously lend him my aid and countenance in carrying on his work and enforcing his doctrines. I declined by letter, announcing that I could not stand upon the platform of Mr. Fee; upon that ground we must split. He was responsible for his acts, and I for mine. That has been my whole course in connection with these parties.

It is untrue—it is absolutely and entirely untrue—on the other side, that I said that these men ought to be expelled from the Commonwealth. My position was one of strict neutrality. I said that while I was willing to see these men removed by law, if they violated any law. I was the sworn and eternal enemy of mobs, come they from what source they might. As soon as I heard that my name was connected with this transaction in that way, that I, who had fought against some eight or ten mobs, had come and sanctioned a mob, I immediately wrote to the editors of the Richmond Messenger and the Cincinnati Gazette, utterly denying it, and stating my views. What was the result? I was told eight days after it was done, and that with the influence of my name, he of the Messenger received my letter. In eight days he received my letter, at a distance of about an hour's ride from my office. That was what Judge Field told me the day before I left. I have inquired with regard to the other letter to the Cincinnati Gazette, and have learned that there has been no such letter received in that quarter.

#### FEE AND JOHN BROWN.

What further? Mr. Fee is stated here as sanctioning the raid of Brown upon Virginia. [A voice on the outskirts—"Hurra for Brown."] Let us be honest! Fee is an exile; he is a native Kentuckian; he has, away from this, explained himself, and I have received a report of the speech at Brooklyn, and he there stated that

while he admired the self-consecration, or in other words the devotion, of John Brown, he did not approve of his course, nor of his way of settling the slavery question; in other words, he was opposed to insurrection. It was his view of the matter that he should go to slave-holders, and by argument induce them, and by the force of divine teaching, persuade them to relinquish their hold upon the slaves.

#### A SORRY HOAX.

Well, gentlemen, the report reaches us of boxes of Sharpe's rifles having been transported through the ordinary channels of commerce to Berea. After these men are removed, we are now told that this was all a hoax. All I have to say about that is that it was a very sorry hoax. A sorry hoax as far as Fee is concerned, doing him great injustice, imputing to him a criminal intent that he did not entertain and a purpose he did not design, and, so far as the Commonwealth is concerned, certainly it is a sorry hoax.

So much in connection with that subject. I admit that a great many very respectable gentlemen in the county of Madison were in this affair—men for whose character and lives I have a profound respect personally, and good feeling and friendship. All that I can say is that I regret on their account, this transaction, but more especially do I regret the influence this thing must have upon the large class of the people of the county, who were receiving the benefit of the education that these men were bestowing. Mr. Fee has nothing to lose—he will go where he will be paid as a time-serving man, or as other preachers of the Gospel of Christ; but the number of the uneducated, constituting two-thirds of every born child in the mountains around that little colony, will be the sufferers by his absence.

#### THE NEW GOD.

We are told also in that report that this man imported a new god—that the slaveholders' god was not good enough for him and his associates, and this is attributed as a reproach. I knew the community in and around Berea when I was a boy, and I say that they were of the most vicious people that ever I did know: a drunken, tobacco-chewing, whisky-drinking people; debauchery and fighting could there be seen as plainly as the noon day sun. But now, how is all this changed. The price of land has advanced as these gentlemen themselves admit, and morality reigns where disorder was predominant. Why, sir, they have invaded the great State of Kentucky. How? With Sharpe's rifles, pistols, and bowie knives? No! but with the New Testament, the school-house, the church, and the saw-mill. It has even been objected that they were erecting a saw-mill. Where before the inhabitants dwelt in huts without windows and with mud floors, these men have introduced neat frame buildings. The children that before were indulging in idleness and dissipation, had been reformed and were going to one of the best schools in Madison county, and in so saying, I make no single exception. A certain degree of self respect has been inspired in the people, and I venture to say that now there is no better people in the State than those who surround the colony of Berea, in the county of Madison. This is the new god they introduced. No, sir! no new god has been introduced. It is the same God who before the long centuries created the heavens and the earth, who based His Throne upon the eternal principles of justice, and draped it in the undying beauty of harmony, liberty and love.

Well, gentlemen, with this personal explanation, I proceed to the main argument; and, for the purpose of brevity, I shall group together the allegations made by the Governor in his message, and the allegations made by the Vice-President in his published speech. The peculiar position in which I am placed will prevent me from going into an elaborate argument, as I had intended, and you will pardon me if I skip much, and perhaps thereby weaken the strength of my discourse.

#### THE HIGHER LAW.

I understand the preliminary charge to be, in the first place, against what the distinguished Senator elect chooses to style the sentiment of a leading Republican of the United States, none other than Governor Seward, the present Senator of New York. Allow me to say, in the beginning, that I am not now, and never have been, a partizan of Senator Seward; but, standing as he does, one of the representatives of the Empire State of New York, that great State in which centers not only the commerce, but, I may say, the political intelligence of this country; admitted on all hands to be as able a man, if not the ablest man, in the Senate of the United States, I say I would be doing injustice were I not to vindicate him from all that which is unjustly imputed to him here. At other times and in other places that Senator is perfectly competent to vindicate himself, but here in Kentucky, where that vindication, on account of the censorship of the press, and in part, the refusal to allow the constitutional freedom of speech, he will hardly else be vindicated. I imagine I shall not be considered at all intrusive if I answer one or two of those charges made by those distinguished gentlemen:

The first denunciation that comes to us with regard to Mr. Seward is that he is a higher law man. Let us look at that for a moment—a higher law man. I intend to be very distinctly understood on this subject. In this time as great issues—issues unparalleled in their consequence in the world are dependent upon the principles advocated by parties, you should not go away with doubt upon your minds, and you will allow me to go into details as to the true meaning of this term. I understand, then, gentlemen, in the common sense in which this term is used, by a higher law, an enactment that has the sacredness, the weight, and the power that belongs to no human law. Now are we a Christian people, and is there any man that claims to be one of the common brotherhood of Christianity that will deny that there is an overruling Providence who governs the universe by eternal and immutable laws which will prevail, the vicious or sacrilegious attempts of man to the contrary notwithstanding? There is no man who will be so regardless of the sentiment of Christian goodness as to utter any such idea as that. That then is the “higher law” which he acknowledged; and, although I do not quote him from the book, I will state his position specifically: it was on the question of admitting the Territory on the Pacific as a Free State when he said that California ought not only to be free, but a home for those driven out from the Slave States by the competition of unpaid labor, and for others driven from their homes by the competition of capital in the Free States; but there was a “higher law” even than constitutions to which this new constitution should be conformed. I put it to every Democrat who hears me to-night if that is not the true doctrine. If that be not so how dares President Buchanan

to make his recommendations to Congress in the name of the Almighty God?

That, then, is the assertion. It is not an assertion that brings anarchy upon a community, but it is the only one principle of right and justice upon which the permanent good of the community can rest. It is the only permanent security for goods, property, reputation, lives, and opinion, and that was the sense in which Senator Seward has uttered that sentiment, and he has again and again said when constitutions were made and laws enacted, not that we should cast ignominy and reproach upon them, or disobey them, but that we should acquiesce in them, obeying them until they are changed by an intelligent constituency, acting through the legislative department of the Government. That is what he said and there I stand by him, here and elsewhere, now and forever, and there is not a man here to-night that does not stand by us, acknowledge that principle, that higher law, that reliance upon God, if he dare speak his honest sentiments.

We had a great deal of it at least, in this same Representatives’ Hall from which we are excluded to-night. The opposite party found there was a “higher law” and what was that Divine and Omnipotent God? It was Slavery! Slavery is higher than heaven and earth, and all constitutions and laws. It is found in the Constitution, we are told, or it is higher than that Constitution; and since that time we have heard nothing of the “higher law” of Senator Seward. That thing is neutralized, as chemists say—done for, as common men may urge.

#### THE IRREPRESSIBLE CONFLICT.

Another allegation is made against that Senator intended to affect the Republican organization. It is now alleged that he has announced in his Rochester speech, this much abused and cant phrase of a conflict, that there is a conflict between slave labor and free labor all through this Government, and the conflict has been going on and will be going on until one or the other utterly triumphs. That is the assertion. We acknowledge it—we own up. So let us examine it. Why, gentlemen, I understand that to be the declaration of our fathers in 1776. I understood that to be the openly avowed sentiment of Washington, Madison, and Jefferson. I understood that to be the declaration of the resolution in Virginia, for which your candidate for Speaker of the Democratic party, Mr. Boccock, voted some years ago. I understood, furthermore, that that was the declaration of the late South Carolina Legislature, and above all, I have it here, taken from the Louisville Courier, the leading organ of the Democracy in Kentucky, made more than ten years ago. You would like to read it. Then you will have the goodness to turn to the files of that journal, and see if I lie or not. (Cries of “read it.”)

[Speaker was interrupted by a heavy fall or rain, which forced him to retire into the rotunda of the State House.]

I will read the extract, which I cut with my own scissors from the Louisville Courier, and by referring to the files of that paper you will find it in the words which I to-night quote:

“I presume that it will not be denied that free labor and slave labor are incompatible. The white man is unwilling to labor by the side of the slave, and the slave is equally averse to laboring by the side of the white man. There ex-



ists a mutual repugnancy, and it follows, of course, that the mass of the labor of Kentucky must be wholly the labor of the white man, or wholly the labor of the slave."

What think you of that, coming from this high Democratic authority? Mark the extent to which this gentleman carries the idea. Not only that there is a conflict, but he goes further. He says not only does the white man refuse to labor with the slave, but mark him well, he puts the slave above the Democratic white laborer of the Commonwealth, and tells you the sentiment of the slave. What then is his conclusion? Why that in the conflict the "nigger" is to have precedence, so that slave labor becomes entirely predominant in the Commonwealth. What sort of Democratic teaching is that? In the name of God let us hear no more from the Democratic party, from Governor Magoffin, or Vice-President Breckinridge, of this thing about the higher law or of this eternal conflict between free and slave labor.

#### THE IGNORED EXPLANATIONS.

But what did Governor Seward say? With that characteristic injustice which pervades too many of the Democratic journals, all the essential and philosophic qualifications of that expression have been withheld from the free white laborers of the South. What says Governor Seward? Governor Seward is a long-headed man. It is not denied that, whatsoever he may be, he knows what he is about. I heard one of the most distinguished jurists of the Commonwealth of Kentucky say that he had the clearest and most philosophic head of any man in the Union; and what does this clear-headed man say? Does he leave it capable of perversion? Does he say that because slave labor and free labor are incompatible that the Republican party are going to enslave the white men of the South, or to interfere with the slavery now existing in the South? No, sir! I deny that. I will state substantially what he does say. He says, and this is the important item which is left out by the Democratic press, that although this philosophical conclusion is going on, whether it is the work of this century or of the next, or of ten centuries, or of ten thousand centuries, he does not undertake to determine, nor can any other man; but he does say that it will take place; not by violence, not by John Brown raids, or conflicts and bloodshed, but peaceably by the amendment of the constitutions and laws of the several Southern States themselves.

Is there a Democrat here unwilling to indorse that method of settling the conflict which Democratic papers assert exists? Suppose the great people of the Commonwealth of Kentucky choose to throw up the barbarian relic, who shall object? What says your Democratic authority? Have you not the right to do it? Is not that the idea? If it is not, here, then is a "higher law"—the law of Slavery, higher than that of all Democratic principles, that is, the same Divine right against which we fought in the British king, by which he claimed to rule over us without our consent. Whatever it be, be it even the law of God, that is certainly not Democracy: it is despotism; it is the same old Divine right of kings, and nothing else, disguise it as you may. So said Governor Seward. So say I, and so says the Democratic party. The Republican party in the States of the Union say that it is none of their business—that if South Carolina, Kentucky, and Virginia choose to own slaves by voluntary consent, by the

ascertained will of the majority of the people, let them hold on to the institution to all eternity, but, if the people of South Carolina, Georgia, or Kentucky, in their omnipotent power, as the sovereigns of their own country, choose to abolish it in a way that seems to them good, it is none of our business; in God's name, let them do it. That is the doctrine I have always avowed in this Commonwealth, that inasmuch as I was a free born white citizen of Kentucky, for the freedom of which my fathers stood, my sentiments were for the expulsion of this system from our Commonwealth; but further than that I did not claim to go. If we choose to abolish or maintain slavery, it is our business. If Virginia, South Carolina, or Missouri chooses to abolish it, it is their business, and it is an officious intermeddling that tries to dictate to Kentucky, and say if I be allowed to exercise my constitutional rights, these people are cowards. Inasmuch as I leave them free to claim their State sovereignty and powers, I claim to exercise my constitutional rights as a citizen within the limits of my own jurisdiction.

That is the doctrine of the Republican party. So far as the southern members of that party are concerned, they say that it is our business and none of theirs; but so far as the National Government is concerned it was established, as they believe, upon the basis of equal rights, and they say that into the free territories of the Union slavery shall not go. That is the ground—the distinctive ground of the Republican party; the only ground at issue between the great parties of the United States.

But, as I said before, I do not stand here to vindicate Governor Seward, especially; only so far as allegations have been made against him, and through him have been intended to act upon and against the Republican party, have I alluded to this matter at all.

#### SEWARD AND JOHN BROWN.

While upon this subject let us notice the connection attempted to be made between the Republican organization as concerned with the raid of John Brown upon Virginia; especially, perhaps, as it applies to this distinguished Senator from New York. Preliminary to this, allow me to state that upon the subject of slavery there are three distinct parties in the United States. One that calls itself par excellence the Abolition party. That began under William Lloyd Garrison, and it is still kept up, partly by himself, and partly by a greater than he, this great bug-a-boo, Wendell Phillips. What are the doctrines of that party? It is fairly and squarely acknowledged by them that the Constitution is a slavery document, inasmuch as it binds all the millions of the free States, in case of a servile insurrection in the Southern States, to stand by and defend the rights of the master against the slave. They come squarely and frankly to the mark, and say that inasmuch as from their education and the teachings of their consciences they are unwilling to carry out that part of the compact, that they go for a dissolution of the Union; let the slave States go to themselves, and let us go to ourselves. If the Southern States choose to hold slaves let them do it, but inasmuch as we choose not to hold slaves we will not, and we will not bear the responsibility of their acts. Let us depart in peace, the one from the other. They are, however, non-resistants. But let me say, while speaking of Phillips, he is the greatest man that I ever listened to—I speak of his intellect. One idea'd as he has been called, there is a power and versatility and universality in him that is pos-

essed by no orator living or dead. That is his opinion. He is a non-resistant. He stands responsible for his own opinions to man and to God. It is not for me to defend him here.

#### THE RADICAL ABOLITIONISTS.

Next comes the radical abolition party. They say that the idea of dissolving the Union is too far removed, they cannot wait for this moral influence to exert itself. By the way I should mention that the Garrison and Phillips party does not vote. They think if they vote under the Constitution and hold office under it, they would be bound to take the oath of allegiance, and inasmuch as they cannot do that, they do not vote or hold office; but not so with the radical abolitionists; they hold that they have a right not only to vote but to abolish Slavery in the States. They too have a "higher law," and say that inasmuch as slaveholders have proclaimed that Slavery is a higher law they make issue, and say that liberty is above all constitutions and laws, and that the slave is allowed entirely the use of his own discretion as to where and how he may liberate himself, if liberation is within his reach. To that party belonged John Brown. To that party belonged Cook, and to that party belonged every man decidedly and ascertainedly implicated in that raid. Not one belonged to the Republican organization. No, Sirs. After all attempts in every quarter to make capital out of the affair there has not been proved to be one single Republican standing in alliance with Seward and myself that they have been able to implicate remotely or directly in this raid of John Brown.

I rejoice that those resolutions of investigation have been passed in the Senate of the United States, that they may call for me, that they may call for Gov. Seward, that they may call on any other Republican, North and South, and bring them before the proper committee of the Senate of the United States, and there make them fairly and fully disclose all that they know upon the subject. I tell you, now, it will result in our vindication, and in the mortification of those who have attempted to do Seward this signal injustice.

#### HANG-DOG TESTIMONY.

What is the testimony upon which your papers, and the papers of Madison, have arraigned before the committee these men. Why, that a certain infamous English renegade, one Forbes—who avowedly fought for pay in Kansas, and whose pay ceased as the contest there ceased; who fought for money in that territory where your children and my children met to seek homes, when driven out by the strong competition of unpaid wages—publishes and declares that he intimated in a conversation with Mr. Seward that such a raid was going on; as he afterwards said he did not understand it to be anything but a raid to collect together and carry out slaves from the slave States by a kind of stampede. What does he say that Gov. Seward said? "Sir, I will have nothing to do with any such project. You have no business to talk to me, a Senator of the United States, upon any such subject." But what does Mr. Seward say of all this when he heard of it on his distant travel? Said he, I saw a man by the name of Forbes, but I utterly deny, upon the honor of a man, that I ever had any intimation directly or indirectly touching upon any such raid. I put it to every honest man, to Mr. Magollin, to Mr. Breckinridge and all their supporters, is there a single one of you, on such testimony as this by an infamous renegade who

deserted his comrades in arms, who would put to death the meanest sheep-killing dog? I will speak for you!—I know you would not—one of you would. Yet this is to implicate Gov. Seward, and through him to cast a slur upon the great Republican party of these United States. No, gentlemen, we may go down, but I tell you here, now, I tell all these gentlemen we will never go down upon such testimony as that. Therefore I reiterate, we challenge you to the disclosure. We boldly hurl back the imputation as untrue, whatever may be its intent and purpose, and we defy you to the testimony, and appeal to the country. That is what we do.

#### ABOUT INSURRECTION.

While upon this subject, allow me to say a word upon the subject of insurrections. I believe I have made more speeches in vindication of the Republican party than any man in the United States, north or south. I believe, from my correspondence with individuals, associations, and other combinations of that party, I am as intimately acquainted with the purposes of that party as any man in America, and I will tell you what I believe those purposes now to be, according to my understanding, and their views with regard to this whole subject of the liberation of slaves by force, and servile insurrection.

We now and always have regarded the poor African as of an inferior race, and although we do not pretend to divine the inscrutable designs of Deity, although we cannot say what may be the design of the great "I am;" whether they shall ascend in the scale of humanity, and we go down, or they go up still higher, we leave these questions entirely to the philosophical speculator, saying that is not a subject of political action at all; but so far as practicability is concerned, we hold that the black man is now of an inferior race, and although the poet says "that the worm feels a pang as great as when a giant dies," yet we believe that is all poetry, and not truth. The life of man and of woman is desirable as it is elevated and removed from the condition of the beast of the field that perisheth. Therefore it is, that when Great Britain held her supremacy over the immense millions of India, attempting by the despotic power of force to rule it by no amalgamation of interests, taking it under a common protection and into a common glory those untold millions of Eastern men, but ruling by force; and when upon the abstract proposition, every man was bound to confess that the right was on the side of the Indians, yet my sympathies were on the side of our common ancestors, and I imagine, that outside of a few fanatics, that there were no men among these thirty millions of people that did not sympathize with the British. The white race as against the red and colored races of India, although, as I say, the right was on the side of the East Indians. Why? Because there was this development of our race, making them little less than godlike and divine, and because more especially these men had proved by brutality, when a temporary success crowned their efforts, that they were unfit for liberty. The man who dares not to be generous, is not fit to rule or to be free, and we all rejoiced when we understood that the old British lion had risen triumphant over the Juggernautish flags of the people.

But we come down a page lower in history and see Hungary when it struggled against a superior power, for that independence which Austria attempted to take away from them. When she fought for her God-given and national rights of

independence, all this was changed. Why? Because, by the liberation of their slaves they showed that they perceived a great principle, and in this acknowledgment of a great principle, they based themselves indissolubly upon the sympathy of all the unbiased intellect of our wide world humanity. We all wanted Hungary to triumph. We all desired her independence. So, in regard to the black race, I say here to-night that which I have said as many as ten or twelve years ago, that if that issue arose, which God forbid it should come, when the African slave and the superior race should take up arms to vindicate their liberty, which can be in some States done but by the abolishment of the white race, I am on the side of my own race. The solution of this problem is a fraternal one. These are the sentiments which I have always avowed, therefore I cast back the infamous calumny that there is in my breast any sentiment like that which would sanction the making of a raid upon the South. Further, I believe this to be the sentiment, so far as I know them, of the members of the great Republican party of the States.

#### THE PURSUIT OF HAPPINESS.

Well now, gentlemen, the great question is pertinently asked. Why did a large portion of the Republican party sympathise with John Brown upon his death? I care not who the truth may cut, whether it be friend or foe, I stand here avowing, and if I know myself, as God is my helper, I intend to speak candidly and frankly and above board, and I tell you why, men of Kentucky, there was this sympathy for John Brown. Your resolutions here to-day, as emanating from the Democratic State Convention tell us that the Republican party is responsible for the John Brown raid. These are the resolutions as they will go out in this commonwealth, this is the meaning of the resolutions as they will go to the people of Kentucky, and as we read to the same purport in the Message of Gov. Magoffin, and in the speech of the Vice President. They draw an inference, they have now abandoned the charge direct, and now they have drawn the inference that our principles led to that raid, and therefore we are responsible. Well, now gentlemen, if the responsibility rests upon principle, it goes further back than Seward, Clay, or any other Republican. Where does it go? To the year 1776, when your fathers and my fathers declared themselves free and independent of the British crown, and when they further declared that "all men are created free and equal, and are endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." There rests the responsibility according to your resolutions, not upon us, but upon that band of patriots. They were those who made the avowals, and we are those that stand by the faith once transmitted to the saints. When you accuse me and all of us, you accuse them, and until you are ready to accuse them, and are ready to go with John C. Calhoun in the Senate of the United States, and say that the Declaration of Independence is all a lie. I demur to your allegation. I say that you are estopped from alleging that against us. You ought not to strike at the inferior while the superior workers for the blessings of life and liberty remain untouched—these glorious men who preceded us, and gave us this Constitution.

#### THE DEMOCRATIC PARTY RESPONSIBLE.

Now I will tell you where the responsibility came from. It came from this same Democratic

party. Now I make that allegation, but I am not going to base it upon speculation. I am not putting the charge upon inferences drawn by Cass. Clay, that I make the charge direct; but if I don't produce the evidence and prove that, I say, if you give me the opportunity, let me hereafter stand infamous before men.

In the first place, what says the great American party of Kentucky, that party which, with all its faults, still embodies so many great truths, and which, amid all its short comings from the higher standard that we have marked out for ourselves, still has some regard for truth and justice! What does the representative of that party say, your late President, and the candidate of that party for the Presidency, what does he say? The man that you Americans voted for; the man that you have been in the habit of holding up as a true patriot and conservative man—what did he say to the late Union meeting, what did Millard Fillmore say upon that subject? Why said he: Gentlemen, I am getting old, I have retired from political life; my work is done, good or bad; I regret that I was under the necessity of signing the bill called the Fugitive Slave Law, but I felt it to be my duty, and however much I may regret it, yet a firm regard to the Constitution and laws of the country compelled me to sign that bill. And all this trouble, says Mr. Fillmore, "the lamentable tragedy at Harper's Ferry is clearly traceable to this unfortunate controversy about slavery in Kansas." Where does he say the responsibility lies? It lies upon that Democratic measure that repealed the Missouri Compromise of 1820. There is the cause of it. Still, are we going to take Mr. Fillmore's word for it? High authority as he may be, we do not intend to take it; but we will review for a very few moments the history of the country in connection with that matter, and see if it does not bring the responsibility upon that party, as affirmed by Mr. Fillmore, and seconded by myself and the Republican party.

Well, now, gentlemen, there is a man lately dead, a man whose name I have the honor to bear, and with great humility I say it. I stand here to-night to defend his principles. Henry Clay is admitted to be the founder, and entitled to all the honor of it, of that compromise of 1820. As I passed down yesterday from my home and my agricultural pursuits, by the city of Lexington, I saw a huge pile of massive stone raised to the memory of Henry Clay. Gentlemen, are you going to re-enact the folly and madness that the Savior denounced in the ancient Jews? Are you going to ornament and whitewash the outward sepulcher, while inwardly there is nothing but corruption? Do you intend to build eternal monuments of brass to the memory of Henry Clay, while you trample under foot the men who have the courage to stand up and defend his principles? Will you garnish the tomb, while the immortal spirit shall be ignored in his representatives? If you intend to deny these principles, go and level that monument to the ground, return that marble to the quarry, and then rush upon us and hide them in our blood, but not till then. He is the author of that compromise, and what is it? That north of 36 degrees 30 minutes African slavery shall never extend, leaving it entirely as a matter of inference whether south of that line or not it shall extend. That is the Missouri Compromise. Now, while I admit that there is no power in Congress to make strictly what may be called a compromise, because it has an unlimited and sovereign power bounded only by the Consti-

tution itself, so that no one Congress shall say what a succeeding Congress shall or shall not do, yet the language has been used; it was a compact, and it was elevated and placed alongside the Constitution itself. An honest registrar of the event states that after it passed so great was the sanctity of that measure that it became as a part of the Constitution itself, the palladium of our liberty, and he was afraid if ever it should go down, the Constitution would go down with it. It existed to the year 1854.

#### ALLEGATIONS ANSWERED.

Gentlemen, I utterly deny the allegations that I hear made in this Hall of Representatives, that the compromise of 1820 was repealed, or intended to be repealed, by the compromises of 1850. and upon this point I appeal to the country. No wonder that it is dark to-night—no wonder that they have put out the lights. Read the speeches of that day. Why Mr. Clay was alive in 1850. Mr. Clay was in the Congress of the United States—he took part in the debates of 1850, and I am at a loss to find where the statement was made. In 1854 was the very first time we were told that it was at all claimed that there was an intention immediate or remote, direct or reflective, to affect that compromise of 1820 by that of 1850. How will I prove that? I prove it to you by the admission of Stephen A. Douglass himself. Yes, sirs, that man who is held up here in Kentucky, that by a certain kind of *locus pocus* is to be foisted upon you and the Charleston Convention, tells us in his first Senate report before the Kansas-Nebraska Bill was offered, that no ruthless hand shall dare to rise against that compromise. Go to the Congressional Globe. I know it is now on record. I defy the Democratic party or anybody to deny that when they referred to the compromise of 1820, that it was to be preserved for years after. It is said it was to be repealed. Are you not ashamed of yourselves? If you are not you should be now to venture such an assertion as that.

It is history, gentlemen. You may tear me down from this stand; you may consecrate the principles which I here to-night defend, with my blood, if you please; but there will stand the truth, and that truth says that your assertion is untrue, and that every Democrat knows it to be untrue, that the compromise of 1820 was repealed by the compromise of 1850. It is not true! And that it is not true has been avowed by the leading man that brought in and carried that bill, and who based his claim for the Presidency upon his devotion to the South. Thank God for pen, ink, and paper, sometimes used in this Commonwealth and others, although it is very anti-democratic to use them, it seems.

#### THE GAME OF GRAB.

Let us get along a little further. Why did they want to repeal the Compromise of 1820? What is the matter, you Democrats of the United States? You have had the power, you say, all the time or almost all the time from the foundation of the government to the present day. You have had possession of the government since its foundation, and where is the necessity now of repealing this Compromise? Why, although you had the influence of the government, both in its foreign and domestic policy, under pretence of subserving the rights of the people, you have used them to maintain the rights of slavery, and after a race of nearly three-quarters of a century, you are entirely behind. The North has grown

in population and material, and intellectual development far beyond your growth—"the sceptre is about to depart from Judea;" and what now? Why we must repeal the Missouri Compromise, and take the start upon the progressive area of freedom, and check this power of conflict that the Louisville Courier and Gov. Seward speak of, and thus we may maintain our supremacy. That was it! Why, although you have divided the territory between the North and the South, that territory, you say, was purchased by the common blood and treasure, and therefore you have a right to go into it and carry your slaves, when you do not allow the man who goes there from Ohio to carry them there. You have passed your laws prohibiting the African slave trade; you monopolize the carrying of slaves among yourselves.

Although you divide that territory ceded to this government, and make out of it Louisiana, Arkansas and Missouri—three slave States—and when the North comes to take possession of her portion of the bargain, consisting of all the territory north of thirty-six degrees, thirty minutes, you say, "No, gentlemen; that game is out, we must have a new deal." [Laughter.] Well, now my honest friend, what do you mean by a new deal? Are you going to put up stakes and begin anew? Are you going to put up Louisiana, Arkansas and Missouri, and see in the struggle whether freedom or slavery is the stronger? "Oh, no! nothing of that kind; we hold all we have got, and we intend to play the game of snatch and get all we can." [Laughter.]

#### DOUGLAS' DREAM.

Come on again then! Mr. Douglas, for the purpose of gaining political power, to the loss of his constituents and for the purpose of maintaining the interests of slavery and slaveholders, against the great voting population of the country both North and South, and to make slavery predominant, tells us that the Missouri Compromise of 1820 is unconstitutional. This man who a few days before had come into the Senate of the United States, admitting that this compromise was sacred and must not be touched, some two or three days after had a dream, and the result is that he finds out he had been mistaken, that our fathers were mistaken; that the action taken in 1788 was a mistake; that the action for the non-extension of slavery which was re-enacted under the constitution in 1789, and carried out under every President from Washington to Monroe, in having declared that they had a right to restrain the spread of slavery, was a mistake. He suddenly found out that our fathers did not know anything about the matter; their action was unconstitutional, it was unconstitutional to pass this great measure, and, therefore, the Democratic party repealed it, and Douglas helped them to do it.

Well, what did the Northern men do? What did the Republican party do? Why, they said, gentlemen it is a lamentable thing that the declaration of the Constitution itself, gives the power expressly to Congress to regulate the Territories—that is the word, "to regulate" the Territories—making no limitation, but giving absolute power, and yet you deny the constitutionality of action under it. As I said before, the very first action under the Constitution in 1789, was an exercise of that power to "make all needful rules and regulations respecting the territory," and following down as long as the Presidents that were alive at the signing of the Constitution, lived, and coming to our own times as late as when Oregon was formed into a Territory, to a

few days ago, this action has been deemed constitutional, when all at once these measures were found out to be based upon a fallacy, and it was discovered that we had no power to carry them out. What did we do? Because we loved the Union; because we, North and South, had fought the common battles of the country, and joined in the love of a common liberty, standing shoulder to shoulder, we will try the thing once more; we believe free labor is competent to sustain itself: we will go into the Territory, apply the test, and see whether or not it shall be Free or Slave.

#### DEMOCRACY AS IT WAS.

Gentlemen, let me read a few Democratic platforms to show how this thing went along. I will read you the Democratic platform of 1852, two years before the passage of the Kansas-Nebraska bill, so far as it touches upon the subject of Slavery:

"That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the Abolitionists or others, made to induce Congress to interfere with the questions of Slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences."

What say you to that, Democrats? Although you declared in black and white that it was dangerous to interfere with the subject of slavery, what have you done? Did you not say it was dangerous to interfere? Answer me that, and let me go on! You are silent. You are condemned out of your own mouths. I proceed:

"And that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union."

You condemn yourselves again.

"And ought not to be countenanced by any friend of our political institutions."

"Resolved, That the foregoing proposition covers and was intended to embrace THE WHOLE SUBJECT of slavery agitation in Congress."

Mark that the words "the whole subject" are in small caps in their reported resolutions.

"And therefore the Democratic party of the Union, standing upon their national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures settled by the last Congress—the act for reclaiming fugitives from service or labor included, which act being designed to carry out the express provision of the Constitution can, not be repealed or so changed as to destroy or impair its efficiency."

"Resolved, That the Democratic party will resist all attempts at renewing in Congress or out of it, the agitation of the slavery question under whatever shape or color the attempt may be made."

These were the declarations and avowals of the Democratic party in 1852. Now what do they do in 1854? Why, they go under the leadership of Stephen A. Douglas, when he had made a report saying that the law of 1820 was sacredly conceived in the Compromise of 1850, and repeal the Missouri Compromise. Now, I believe, they stand condemned by their own

language and by their own acts, and I have here accomplished what I proposed to do.

#### THE DEMOCRACY SELF-CONDEMNED.

What was the result of all this? The result was that in obedience to the declaration that the people were to be fairly left to choose for themselves between liberty and slavery, they adopted another platform. Let me come to that. I will tell you what they did in 1856, in that year the Cincinnati platform was adopted.

In consequence of the repeal of the Missouri Compromise, the northern people interceded to get their own territory upon the avowal made in the Kansas-Nebraska bill, that the people were to "be left free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." But notwithstanding that avowal it had made, they immediately, as the report of the United States Congress showed you, before a single Free Soiler or Republican had set his foot into the new territory, commenced on the border of Missouri, the organization of the "blue lodges," to invade Kansas, with the avowed design—peaceably if you could, and forcibly if you must—to have that land for a slave State, and "damn the Abolitionists, they would shoot them down as squirrels," as I heard a leading Democrat express himself in Lexington while that conflict was going on. They passed these resolutions in 1856, and I want you to pay a strict attention to these, in comparison with the other avowals:

"Resolved, That we reiterate with renewed energy of purpose, the well considered declarations of former Conventions upon the sectional issue of Domestic Slavery, and concerning the reserved rights of the States"—

That alludes to the former Democratic platform of 1852, four years before. It goes on:

"1. That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that all such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or take incipient steps in relation thereto"—the very thing they have been doing to-day, besides which we have heard them denouncing every man that does not come up to their standard, and calling every man that stands on the "Squatter Sovereignty" platform outside of the Democratic party,— "are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions."

2. That the foregoing proposition covers, and was intended to embrace, the whole subject of slavery agitation in Congress: and, therefore, the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the Compromise Measures, settled by the Congress of 1850; "the act for reclaiming fugitives from service or labor," included, which act being designed to carry out an express provision of the Constitution, can

not with fidelity thereto be repealed, or so changed as to destroy or impair its efficiency.

3. That the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made."

Oh yes! Will resist. That is the Democratic doctrine in 1856 in Cincinnati—did you allude to it to-day? Yes, you voted the doctrine down, and yet here it is "that the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made." What do you say to that? There is the Cincinnati platform which you eschewed to-day. You denounced as treasonable any attempt to renew that agitation, under any shape whatever. Let me, however, turn to another clause.

4. "That by the uniform application of this Democratic principle to the organization of Territories, and to the admission of new States, with or without domestic slavery, as they may elect; the equal rights of all the States will be preserved intact; the original compacts of the Constitution maintained inviolate; and the perpetuity and expansion of the Union insured to its utmost capacity of embracing, in peace and harmony, every future American State that may be constituted or annexed, with a republican form of government."

But you omit:

5. "Resolved, That claim of fellowship with, and desiring the co-operation of all who regard the preservation of the Union under the Constitution as the paramount issues, and repudiating all sectional parties and platforms concerning domestic Slavery, which seek to embroil the States, and incite to treason and armed resistance to law in the Territories, and whose avowed purposes, if consummated, must end in civil war and dissolution—the American Democracy recognize and adopt the principles contained in the organic laws establishing Kansas and Nebraska Territories, as embodying the only sound and safe solution of the "Slavery question," upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—Non-intervention by Congress in State and Territory, or in the District of Columbia."

Oh! Mr. Graves, where are your resolutions? There, gentlemen, is your declaration, and to it you would not even allude to-day, and under the allegation of renewing the old Democratic platform of 1856, you entirely overlooked and ignore that clause which bound you not directly or indirectly to interfere with Slavery, in State or Territory. What have you declared to-day? That Mr. Douglas, if not willing to go along with you, is outside the Democratic party; that he is guilty of treason. That may be all right; they say that a fool never changes his opinion, and that a wise man does, but you ought to tell it out when you make such a charge as that.

#### THE UNMADE ISSUE.

Well, now, gentlemen, I am going to give you a clause, that if they had adopted to-day, it would have put the thing so plain, that if you gave us Douglas, we would catch you, if you gave us Toombs we would catch you, and if you offered Breckinridge we would

catch you. You did not intend the Democratic party to know there was such a clause. As a man up our way, a preacher, a man of great good sense but little or no education, would say, when reading the Bible. Well brethren, that is one of—if you please this is—this is a bad place and we will skip it. The Democratic party to-day found it was a hard place and skipped it [applause] so that it is no wonder they did not want me to go into that same hall and that the lights were out and it was all dark. Here is what they did. The Republican nor Abolition party, nor the old Whig party; nor the American party, nor the Democratic party have ever made an issue upon the resolution passed to-day, and which was in the platform of 1856, it is simply as to the power of a people when they become a State. It is a self-evident truth that they intend you to go home with it, with the thought that you bagged the game, but you will find that the lion has gone and you have put the asses skin into your pouch.

"Resolved, That we recognize the right of the people of the Territories, including Kansas and Nebraska, acting through the legally and fairly-expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without domestic Slavery, and be admitted into the Union upon terms of perfect equality with the other States."

Lord how frank that is! "with or without domestic Slavery, and be admitted into the Union upon terms of perfect equality with the other States." Whoever denied that? I challenge Mr. Silvertooth, I challenge Oscar Turner, or even Mr. Speaker Merriweather to point me out a single resolution from the foundation of our government to this day, in any portion of the United States where such has been denied. If there is such, my reading has been of no account.

#### THE KANSAS NEBRASKA BILL.

Take the case now. I have read the platforms and shown that they are inconsistent. But let me tell you what was the clause in the Kansas Nebraska bill which they affirmed again and again. It states that the Democratic party determined "neither to legislate slavery into those Territories"—oh, no! of course not—"nor to exclude it therefrom;"—what are you to do, then?"—"but to leave the people perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Now, what do you think of that? Did not intend to legislate slavery into Kansas, nor to exclude it; but did intend to "leave the people perfectly free to form and regulate their domestic institutions in their own way." Is that your doctrine to-day? Editor of the Yeoman, are you going to publish it that way to-day, that the object of the Nebraska bill was intended to leave the people perfectly free to regulate their own domestic institutions in their own way? You say to-day in the resolutions you have adopted, that the people shall not do any such thing, and if Douglas goes for any such doctrine, we will see him damned if he remains in the Democratic party; and Mr. Silvertooth declares he is already out of the pale of the Democratic church. [A voice—"The whole Democratic party is not responsible for him."] Of course not! God forbid they should be. [Laughter and applause.] The

great mass of the Republican party is of the Democratic party, but they are of the good old American gold with the stamp of '76, not the bogus Democratic stamp of 1854 and 1856. They are with us now, and will be with us hereafter, and therefore I stand here and the lights are put out. The darkness will not keep you, however, from knowing that they are incompetent to administer the government that the whole party is responsible for.

#### THE SNAKE AND ITS SKIN.

Let us trace the consequences; like the snake yearly they shed their skin, but they never go back into the old one; beautiful it is at first, but it immediately returns to dust and ashes. Let us look at the consequences. Here was the formation of the "blue lodges" in Mo., according to the Congressional report (remember I don't intend to give any statement upon my own say so; I appeal to history to substantiate all I say). You march under your Missouri hordes so formed into the territory of Kansas, and although it is well known, and as history has proven, that the Republican party was in a clear majority, by force of arms you took down the judges of election that were appointed legally. They were taken by force, the Missouri forces going out with banners flying and with colors displayed, and the question was asked not "are you a judge according to the Constitution and the laws?" Not "are you a judge of the election carrying out the declaration of the Cincinnati platforms of 1852 and 1856, that the people should determine upon their domestic institutions in their own way?" But, "are you sound on the goose?" That was what they asked them, in other words, "are you for Slavery?" Not "are you for the constitution and the laws, and for the support of Republican institutions and principles as our fathers handed them down to us?" No! but "are you right on the goose?" and if a man did not answer that way that pleased them, they caught him by the collar and ejected him; and many who upheld the Constitutional right of election were compelled to fly for their lives, and many were wounded and killed. Where then stood the Democratic press of the United States? Aiding and abetting all this treason. The free-soil citizen from the State of Kentucky, as well as he from the free States, who had seen by actual experiment the glorious benefits of free institutions, and others who had seen the woe of slavery, and who found that the pledges of the Democratic party had been kept to the word and violated in fact, late in the day sent to their homes both in Kentucky, the slave and the free States, and took up arms, and upon every field, and by the whole power that God and nature had bestowed upon them they resisted this attempt to enslave them. What then did the President of these United States? All the time he by the forces of the United States disarmed the Republican party, and left them at the mercy of those invaders of their rights.

#### JOHN BROWN AND HIS RAID.

Then sprang up this John Brown. I say he is the legitimate son of the acts and avowals of the Democratic party that they intended to take possession of Kansas by force of arms, "peaceably if they could, but forceably if they must," and it was only when these descendants of revolutionary fathers took up arms in their

own defence, and I thank God there were Kentuckians as well as Yankees fighting there in that battle for freedom, and they drove back the invaders, and now a great and overwhelming majority of the people of Kansas say that it shall be free notwithstanding James Buchanan lifts up his impious hands, and perhaps praying that it may be so, says that "Kansas is as much a slave territory as South Carolina." Is that democracy? In the name of that God to whom he so impiously appeals, is it so—is it a slave State? Not at all. History tells us that just there began John Brown. How it is I will state, as it comes to me authenticated. To the best of my knowledge and belief, before he shed the blood of a single man, one of his sons was chopped to pieces in cold blood; and another son was dragged in chains by a vehicle, until from the heat, the exposure, the ignominy, and the torture of the moving chains, his brain was crazed, and he went mad; and his sister looking upon all these sad calamities and scenes of horror, was also crazed.

Then this man took up the knife, and made a war of extermination upon the slaveholders and the invaders of the soil. There is the secret of the whole matter, so help me God, as I believe I am Cassius Clay, as I stand here to-night, I say the beginning of this raid on Virginia. John Brown felt that there was no protection for him in the Democratic party, that the laws of Missouri and Kansas gave no protection to him, and that he had once more to appeal to the God of Hosts for defence, and he carried that war on in Kansas, and in Missouri, and Virginia. The whole story is told; it was nothing but the raid of a man injured by aggressions made upon him, and these proved to have been began and completed by the Democratic party themselves. Therefore I hurl back the imputation, and history will stand by the record, and will record this unwelcome truth. That is all of it. It was no servile insurrection at all. I see before me this night a man who committed John Brown in Virginia, and I hear from other sources, as Senator Mason, that there was not a slave rose in insurrection. It was a raid; the fruit of Democratic action and injustice; and if it is the thing it is said to be, that will yet threaten the peculiar institution of the South along the whole border, they, the Democrats, are responsible for it by reason of their avowals and their acts; but the Republicans are not. I repudiate the charge, and appeal to the country for a verdict.

#### THE VICE PRESIDENT'S ALLEGATIONS.

Gentlemen, having said so much preliminary and in explanation, I come to the declaration of the Vice President of the United States, as formally put forth by him, sent me under his own hand, but which speech I am told is very distinctly different from that he made in this State House.

You will pardon me for the length of this argument, if it may be so called, embarrassed as I am by the difficulty of my position here. It is rather more desultory than I had intended it should be, but the importance of the question to be discussed will, I think, plead my justification.

The Vice President of the United States makes against the Republican party ten formal allegations. He says:

"I charge that the present and ulterior purposes of the Republican party are:

"To introduce the doctrine of negro equality into American politics, and to make it the ground of positive legislation hostile to the Southern States;

"To exclude the slave property of the South from all territory now in the Union, or which may hereafter be acquired;

"To prevent the admission, in any latitude, of another slaveholding State;

"To repeal the Fugitive Slave Law, and practically refuse to obey the Constitution on that subject;

"To refuse to prevent or punish, by State action, the spoliation of Slave property, but on the contrary to make it a criminal offense in their citizens to obey the laws of the Union, in so far as they protect property in African slaves;

"To abolish Slavery in the District of Columbia;

"To abolish it in the Forts, Arsenal, Dock Yards and other places in the South where Congress has exclusive jurisdiction;

"To abolish the international and coastwise trade;

"To limit, harass and frown upon the institution in every mode of political action, and by every form of public opinion;

"And finally, by the Executive, by Congress, by the postal service, the press, and in all other accessible modes, to agitate without ceasing, until the Southern States, without sympathy or brotherhood in the Union—worn down by the unequal struggle; shall be compelled to surrender ignominiously, and emancipate their Slaves."

Now, gentlemen, these are allegations formally put forth. It is not for me to question the motives of the man who makes them, but I take the allegations as I find them, and I shall attempt to answer them in detail. First of all; I appeal to the country and history; standing here upon our recorded action, and the integrity of our previous character, I plead not guilty of the charges; not guilty on every count except one; and to that I plead guilty.

#### NEGRO EQUALITY SET AT REST.

First, we are not guilty of the purpose "to introduce the doctrine of negro equality into American politics, and to make it the ground of positive legislation, hostile to the Southern States." Mark, the crime is here, that we have been guilty of "introducing." Now, it is well known, so far as common rumor goes,—we cannot always judge of the motives of men,—that the Dred Scott case was gotten up by agreement, in advance of legislation, but subsequent to the declaration of the power of the Democratic party, to take possession of Kansas. We did not want any such subject introduced into politics. Why? Because there was already odium enough attached to us as being the defenders of the rights of the negro against the white man. We were called already "negro lovers," and it was not to our interest to get up an issue of this kind, even if we desired so to do. But an agreed case was made, as was reported in Howard's reports. The case came up to the Supreme Court of the United States from the U. S. District Court of Missouri, and although I am a follower of the plow, and although he has perhaps studied law all his life, I declare that Beriah Magoffin does not know anything about the case. There is not a young county court lawyer that is not better posted up in this matter. Gov. Magoffin does not profess to know anything about it—

that honorable and high-toned gentleman has never made it his study—any man can see that who reads his inaugural address. John C. Breckinridge does not understand it, or he is a great hypocrite. He is ignorant of the question at issue, or he is a hypocrite, and intended determinedly to deceive the people of the United States; but of course, in consequence of the respect I have for him, I believe that he is utterly ignorant of the questions at issue in the case. I think I can present them so that a man of the commonest understanding can comprehend the case. I think I can present them so that a man of the commonest understanding can comprehend the case.

I will state the substance of the thing. It was a suit brought by a man of color, called Dred Scott, first, I believe in the State Courts of Missouri, where it was decided that Scott was free, then going up, I think, to the Supreme Court of Missouri, where the decision was reversed and sent back. It was taken to the Circuit Court; the pleadings were made to this extent, that a plea of abatement was made—Dred Scott bringing an action declaring that *vi et armis*, one Sandford had assaulted him, as also Harriet Scott his wife, and children. To this, Sandford who is also upon the record and admitted to be, I know not if in reality, a citizen of New York, pleaded in abatement, that Dred Scott and his wife and children were his slaves, and that being slaves, or rather to use the language as used in the pleadings, that he was the descendant of African slaves, a man of color, a negro, and therefore he could not be a citizen of the United States; and Sandford called upon the Courts to throw the case out of Court, that they had no jurisdiction, and that he, (Sandford) should hold as master, Dred Scott.

So far as the Dred Scott decision became a law of the United States, it is simply thus that after the case was twice argued in the Supreme Court of the United States, a majority standing seven to two of the Justices, decided that a man of African blood, descended from parents once slaves, could not be a citizen of the United States, and therefore could not sue in the Courts of the United States, and therefore the Court having no jurisdiction, it was returned, with instructions to sustain the Circuit Court. That is what they decided. Now I desire to state, that, in my humble judgment, Dred Scott was not the slave of Sandford, and being a free man and a man of color, according to the Constitution of the United States when it was made, he had a right to sue and had a right to be relieved from this existence of *vi et armis*, and that was the opinion of Justices McLean and Curtis, and every lawyer that has read the decision of the Court in Howard's Reports, that I have spoken to upon the subject, has invariably said to me that the opinion of Justice Curtis is the most conclusive piece of judicial logic ever presented in all the books of judicial decisions. I have it at home, and I declare that in my judgment there is no proposition in Euclid more clearly demonstrated than that. Not that Dred Scott had a right to citizenship, to hold office and vote, rights which many white persons, as for instance women, have not, but that he had a right to the protection afforded by law; that being a free man, by being carried first into a free State, and then to the Territory ceded to the United States by France, he had a right to sue and to be sued. He never declared that



Scott was entitled to all the privileges of a citizen, but the Constitution says:

"The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

And if Kentucky determines that the black man cannot hold office in the Commonwealth, a black man coming from Massachusetts cannot hold office; he is but entitled to the protection of the laws given for the protection of his own race and condition.

The Dred Scott decision was gotten up entirely by the Democratic party, and it was made in 1856, after the election of President Buchanan, and intended to sustain the Kansas-Nebraska Bill.

In passing, allow me to say that we make no issue with the Supreme Court on that subject. We acknowledge the Supreme Court decision to be the supremelaw of the land, and deny the allegation that we intend illegally and factiously to resist the decision of that Court, and force a kind of citizenship upon the country with which we have nothing to do. So far then for the Dred Scott decision.

#### OBITER DICTA.

Gentlemen, time passes quickly, and of course I cannot go elaborately into the argument upon the other part of that which is claimed to be the decision of the Dred Scott case, that is, that the law of 1787 first passed by the Confederation of States, and re-enacted by the House of Representatives at its very first session under the Constitution in 1789, was unconstitutional. That is the dicta of these five Judges. Well, now, gentlemen, just let me state one or two strong points that every man of common sense can understand. It is the practice of all courts—courts of common law and courts of equity of the United States, and of all courts of reasonable justice and common sense on God's earth, from the earliest time to the latest day, that when questions come up for decision, they decide the main question, and that obiter dicta, that is, words spoken incidentally, and not to the main question, is not law. There are Democratic lawyers that hear me to-night, and they will hear me out in this statement, and it is right. There are just reasons for it, because the attention of the judges being bound to the main issue, they must not be held responsible for the incidental questions of the case. Now, that is what Justices McLean and Curtis tells us, and they are, in my opinion, the ablest judges upon the bench. I think Justice Curtis the ablest Judge I ever read after, and he tells us that when the Supreme Court decided in the case that it had no jurisdiction there, their whole power ceased. That is what this judge tells us, that is what the Republicans say, that is what every honest man, unbiased by political associations and considerations, must say. I say it, gentlemen, that, in my humble judgment, the rest of the opinion is not law, and in this I am supported by some of the very ablest judicial minds of the United States. Not only so, but Justice Curtis shows that the Supreme Court has decided again and again that obiter dicta is not law, and is not so to be considered. There are decisions in that report quoted, absolutely made to the effect that these incidental decisions that come in are not part of the law of the land. Therefore, we say in denial of what the Democratic party has said to-day, that it is

not the law of the land. Therefore, we go upon that subject for not changing, rather we deny that it is law, and we appeal to the country to decide between us. We owe no allegiance to it as a law of the United States, but it is yet open for free discussion by the people of the United States, that they may determine it under the Constitution of the United States. To so much we plead guilty.

#### THE WORD REGULATE.

Now, as that is an important question, let us dwell yet a while upon it. In the first place, let us see what were the terms of the old Confederation in connection with it. They declared, gentlemen, before they ceded these lands to the United States, that these Territories should belong to the United States, and that the United States should have complete control, both political and practical over them, that is to say that they yielded the entire jurisdiction of the territory, and the United States under the act yielding these territories to the United States, achieved as they were by the common blood and treasure, it was the determination of all the States themselves to yield up the entire control of them, and therefore when the Supreme Court undertook to say that that clause of the Constitution which says, "The Congress shall have power to dispose of and make needful rules and regulations respecting the territory or other property of the United States," does not mean what it says, they are forced to the absurd conclusion, notwithstanding the object had in view in making the cession, that when the land was given, the States giving did not mean what they said: look to what a forced construction they are driven. They deny this positive grant of power to pass laws by Congress to prohibit Slavery in the Territories, and the assertion that the word "regulation" is not a common term used by legal men when they intend to confer a power. That is the argument of the Supreme Court.

Let us look at that. Fourtimes is the word "regulation" used in the Constitution with regard to grants of power, and thus, so far from being an unusual term, it was a usual one in the disposition of power in the United States. Another clause says that Congress shall have power to "regulate commerce." Does any Democrat deny that that is a legislative power? What, under it, have they done? They not only "regulate commerce" under it, between foreign countries and this, regulating foreign and domestic trade, but they passed the embargo. Why? Because they had the power to make all needful rules and regulations appertaining thereto. In the Territories they have similar power delegated in somewhat the same words. Not only had they the power to cherish commerce, but they had a right to prohibit and destroy commerce itself. Certainly that was a legislative power; and it was exercised under this very term "regulate;" therefore it is absolutely absurd when the Supreme Court and the Democratic party undertake to say that when it was enacted that Congress should have the power to make all needful rules and regulations for the Territory, did not delegate legislative power. So that the very language that they claim would debar a grant of power, is shown, by four clauses of the Constitution, to carry with it that very legislative power, it even extending to the taking of life, liberty and property itself.

Don't they say in the Constitution that they shall have the power? Such was the understanding of the old framers of the Federal Constitution—of the old confederation of the framers of the act of '87, and although the Supreme Court are bound to acknowledge that all the territory acquired previous to the formation of the Constitution, were subject to the control of Congress, they come to the conclusion that the Constitution did not intend to confer the power at all, but that its very exercise was prohibited by the Constitution.

Gentlemen, there was a portion of these lands, when the Constitution was formed, intended to be ceded, and it was known by the framers of the Constitution that it was to be ceded. Georgia and North Carolina afterwards ceded their territory for the same reason that Virginia ceded Illinois and Indiana, and therefore, how absurd it is to say that the framers of the Constitution, when they allowed Congress to exclude slavery from the territory which now is formed into the States of Illinois and Indiana, did not give them the power to exclude slavery from the whole. It is absurd to say that the power existed in one case, but did not in another.

What was the intent and design of the Constitution? What did it do to carry out that design? The two most prominent conclusions on earth, that we can have as to what it was intended to do, is by what they said was to be done and intended to be done, and by what they practically did. Eight and six, or fourteen times did this Congress carry out the power asserting that Congress had all the power to make "all needful rules and regulations for the Territories," even to the prohibition or enactment of Slavery.

#### HOW HE CHANGED AN OPINION.

I am going to own up myself. I confess that I always believed, until I read the opinion of Justice Curtis, I have always believed with the old Free Soil party, that under the Constitution of the United States, you could not establish Slavery in any Territory. I do now confess, that after reading the decision of Justice Curtis, that it was so clear, and the argument so irresistible that they could practice legislation in either way, that I was bound to acknowledge that the power to prohibit also carried with it the power to establish, and the converse that the power to establish Slavery also gave the power to prohibit it. I therefore yielded up my old opinion, (I know not what others may do,) because in this dicta of Justice Curtis, if Congress has power simply because there is no limit put upon it, that it has power on either side; that is, it has omnipotent sovereign power, although this is a government in general of limited powers, inasmuch as the Constitution does not limit Congress from establishing or abolishing Slavery. The power is not denied by the Constitution, therefore it has it. There I am bound to change my opinion upon that subject, and now I agree that Congress has the power to establish or prohibit Slavery, because, as I said, the acknowledgment of the one power compels us to acknowledge the possession of the reverse.

Well, now, it is at last brought to this: Congress has the right to establish Slavery or to abolish Slavery in the Territories. It is then a matter upon which we appeal to the country for decision. Will you go for Slavery or Free-

dom? I believe that to be the doctrine of the Republican party, and that is the whole sum and substance of the controversy between us. We say with Washington, Jefferson, Madison and Henry and Lee, and all the distinguished fathers of the Republic, not that Slavery is a blessing and a Divine institution and all that, but we admit it to be an evil, morally, socially and politically, and a weakness in the commonwealth.

#### SLAVERY A WEAK INSTITUTION.

Well now, gentlemen, it has gone forth in this commonwealth that I should not be able to peak in Frankfort. Why is that? Why is it that John Brown spread such consternation through all Virginia? Are we to believe that the Virginians are all cowards? No! There is in Virginia just as gallant blood as flows in the world; it was simply because Slavery was a weak institution from the beginning to this time; that it was what James Madison told South Carolina and Georgia; it is because Slavery is what Mr. Randolph told Mr. Everett. We tell you that it is a source of weakness in the State, and therefore as patriots and lovers of our country we say, to the several States enjoy your institution as long as you choose, but so far as we are responsible we go against it all the time. There is the whole front of our offending. Is it not right?

#### THE ADMISSION OF SLAVE STATES.

Another charge made is, that we purpose "to prevent the admission in any latitude, of another slaveholding State." I deny that that is the platform of the Republican party as made up in 1856, or as it is to be made up in 1860, and if you will allow me I will refer to the record. I cannot read all of the platform, but I give you my word there is no such clause in it. I will read one clause however:

"Resolved, That with our Republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable right to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government was to secure these rights to all persons under its exclusive jurisdiction;"—[Mark me, now, that does not apply to States.]—"that our Republican fathers, when they had abolished slavery in all our National Territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing Slavery in any Territory of the United States, while the present Constitution shall be maintained."

In that part of the platform I have said, I believe we were in error. For that reason, in the call of the present Convention we leave out all that which has reference to the last sentence which I read. I will read that call to you:

"A National Republican Convention will meet at Chicago, on Wednesday, the 13th day of June next, at 12 o'clock noon, for the nomination of candidates to be supported for President and Vice President at the next election.

"The Republican electors of the several States, the members of the People's party of Pennsylvania, and of the Opposition party of New Jersey, and all others who are willing to co-operate with them in support of the candi-

dates which shall there be nominated, and who are opposed to the policy of the present Administration, to federal corruption and usurpation, to the extension of Slavery into the Territories, to the new and dangerous political doctrine that the Constitution, of its own force, carries Slavery into all the Territories of the United States, to the opening of the African Slave Trade, to any inequality of rights among citizens; and who are in favor of the immediate admission of Kansas into the Union, under the constitution recently adopted by its people, of restoring the federal administration to a system of rigid economy, and to the principles of Washington and Jefferson, and of maintaining inviolate the rights of the States, and defending the soil of every State and Territory from lawless invasion, and of preserving the integrity of this Union and the supremacy of the constitution and laws passed in pursuance thereof, against the conspiracy of the leaders of a sectional party, to resist the majority principle as established in this government, even at the expense of its existence, are invited to send from each State two delegates from every Congressional District, and four delegates at large to the Convention."

To prevent the extension of slavery into the Territories. There is the matter at issue.

Gentlemen, neither in the platform of 1856, nor in the call of Convention for 1860, is there any such clause as that the Vice President alleges, that no more slave States shall be admitted into the Union—there is nothing of it. It is not a true allegation, and I appeal to the record. I appeal from the inferences and allegation of the Vice President of the United States to the country, upon that subject.

#### THE SLAVE CODE CONSIDERED.

Before I pass over this I will say a few words with regard to the power that the slaveholders claim for the protection of slave property under the Constitution of the United States, because that is a vital question. Gentlemen, with all the inconsistency of the Democratic party in 1852 and 1856, they never thought of this thing: that slavery went under the Constitution, and by virtue thereof into every Territory per se. Never was such an expression made use of, but they all admitted that no such power existed in or under the Constitution. Hence, of course, it was proper to enact that the people of a Territory were free to legislate slavery in or out of the Territory. Now, gentlemen, the Democratic party is placed in this attitude, that they then knew that under the Constitution, and according to what they now claim to be the decision of the Supreme Court, that every slaveholder has a right to go into the Territory with his property, or deceived the people, to the detriment of the slaveholder, when they left the matter to be decided upon by the non-slaveholders. What right had the Democratic party to say that they should confiscate the property of all the slaveholders of a Territory, and leave their property to the tender mercies of the squatters, who make their way from Germany, Ireland, China, Massachusetts and Kentucky? Mr. Breckinridge, or some of your friends, answer me, yes or no, did you intend, when you stood in favor of "Popular Sovereignty," or "Squatter Sovereignty," to confiscate all the property of the slaveholders of the United States? No sir. You did not think that you

had the right to carry slavery into the Territories. That is the truth of the matter. In my opinion, that is what every Democrat believed. We say that the belief was right. Why? Because all the dicta of all the jurists from time immemorial, from Grotius to Mansfield, all jurists known to civilization and fame, from the earliest days to this, declared that slaves were a peculiar property, unlike other property known to men. What does the best English reports tell us? Before 1760 this was declared, and by the highest courts of the crown—outside of the House of Lords. This was declared by Lord Mansfield, with this dicta, which I shall read to you, that I may be understood, in that case when Curran grew so eloquent, when he declared that whenever a man stood upon British soil his chains fell from him:

"The state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only by positive law, which preserves its force long after the reasons, occasion, and time itself from whence it was created, is erased from the memory; it is of a nature that nothing can be suffered to support it but positive law."

That decision has never been questioned in this country, until the new light of the Democratic party fell upon it in the decision of the Dred Scott case, in 1856. I say all the jurists, all men at home and abroad, who profess the Christian religion, and obey the equally imperative mandate of progressive humanity, concur in the belief that slavery is so contrary to natural law that nothing but positive law can support it. Under our Constitution, we adopted the common law of England, and that was the law of this State, and of others, and it was decided again and again in the courts of Louisiana, and of Kentucky, of Virginia and of Tennessee, and in the other States of the Union, I believe, without exception, that slavery was local and could only exist by virtue of positive law, and, when a citizen of Louisiana took his slave to France, a despotic government, and brought her back, her application to be declared free was carried to the Supreme Court of Louisiana, and it was decided that inasmuch as she had been carried into free territory, she was free, according to all the dicta upon the subject, "once free and always free." It has always been held that slavery was an institution of municipal law, and the moment it was carried beyond the pall of that law, that moment the rights of humanity, and the great reason to which all law appeals, stepped in and gave freedom; all have determined in the same way, every decision has been in the same direction.

#### THE FUGITIVE SLAVE CLAUSE.

I cannot dwell upon this matter to go all through the able argument of Justice Curtis, but there is no argument which he does not produce, to support the position I have laid down as being correct, save one. That one is this much talked of and much vaunted fugitive slave clause. Let me ask you if, under the Constitution, slavery goes into the territory of the United States, what do you want with a fugitive slave clause? Answer me that. Why would you not be protected in your slave property as much in any State of the Union if it is property there, and yet you stood in Convention week after week, and month after month, and I might say, year after year, contending for the

recognition of the rights of the slaveholding community to recover fugitive slaves. It was all absurdity to quarrel about a power which you assert is in the Constitution. You cannot prove that the Constitution gives the power. It cannot be done. It is in vain that you struggle against the whole authority and common sense of ages.

You now talk of legislative intervention by Congress to protect slavery in the territories. What do you want with it if the Constitution does not give it? What right have you to it? I therefore deny, on the part of the Republican party, that there is any such power under the Constitution per se, to carry slavery into the territories of the United States. That was not the doctrine of the Democratic party of 1852 or 1856, and only after the enunciation of the Cincinnati platform, and the election of James Buchanan, did the Supreme Court screw themselves up to the point that they could say that it was law. Two of the ablest and most distinguished jurists declaring that it was obiter dicta, and was no law. God grant for our freedom, every man's, white and black, that you should say in your legislative assemblies and national conventions, that it is no law. As I live, it is not the law!

#### CONSEQUENCES OF THE DEMOCRATIC CLAIM

See where it leads. Suppose they have, under the Constitution, the right to carry slavery into the Territories, have you not the right to carry those same slaves into Ohio?—You have the right to carry a cow or a horse, a coat or a watch into Ohio, and if under the Constitution slavery is just as sacred and inviolate as this species of property, how dare Gov. Chase say you shall not bring your slaves and take possession of the hotels of Columbus and the farms now occupied by honest freemen? I tell you why you cannot; it is because the right you assume does not exist. The Constitution says:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land," &c.

There is the whole substance of the matter. If the Dred Scott decision is right, then there is not one single foot of any but slave territory from the Gulf of Mexico to the hills of Maine. If that be true, then indeed there is no conflict going on, in the language of Seward and the Democratic party, between freedom and despotism; but the conflict is ended, and you and I, and all of us, are subject to a despotic power which is higher than the great dicta of all the learned jurists that have preceded us; higher than the Constitutions of the States and the sovereignty of conventions; and last, if not least, higher than the Constitution of the United States—the palladium of liberty to us. If it be so, the conflict is ended, and we are all slaves; we are subject to a despotic power over which we have no control—none on God's earth. There is no appeal to popular sovereignty or States' rights; there is but one appeal, and that is to revolution: an appeal to arms and the God of Hosts—which God forbid! Therefore, I deny that we are factiously purposing to prevent the admission of any more slaveholding States.

The fourth charge is that we propose "to repeal the Fugitive Slave Law, and practically

refuse to obey the Constitution on that subject." I do not deny that in some of the States there has been an effort made of that kind, but I do utterly deny that there is any such clause in the platform of 1856 or the call 1860. Without dwelling further upon that, I pass it by, saying that I do not care to avow that I stand on that subject with Daniel Webster, the man whom of all others in this country, we have styled the expounder of the Constitution—certainly upon constitutional law the highest authority this country or any other has ever seen. Mr. Webster, although he was over-persuaded, flattered with the idea that he would get Southern support by yielding his true born opinion, said what, in his speech of 7th March? He said "that this was a power that belonged not to Congress, but to the several States." That is my belief, but the Republican party, desirous of harmony, yielded it, and struck it out of our platform in 1856, and do not propose to incorporate it in the platform of 1860.

#### OTHER CHARGES REFERRED TO.

Fifth, "To refuse to prevent or punish by State action, the spoliation of slave property, but on the contrary to make it a criminal offense in their citizens to obey the laws of the Union, in so far as they protect property in African slaves." Gentlemen, don't we tell you in our call that we go for protecting the rights of all the States, and so far from hindering you in the return of your property, that we pledge ourselves as a party to defend you against your State or my State, and every State, or against foreign invasion in the Territories. Of course if we are honest in one purpose, we are honest in the other, and we cannot be honest in that avowal if we are dishonest in the first imputation.

Sixth, "To abolish Slavery in the District of Columbia." I need not read our platform again, but I defy any man to find any such a clause in it.

Seventh, "To abolish it in the forts, arsenals, dock-yards and other places in the South where Congress has exclusive jurisdiction." There is no such clause as that in the platform of 1856, or the call of 1860.

Eighth, "To abolish the internal and coastwise trade." There is no such clause as that in either.

Ninth, "To limit, harass and frown upon the institution in every mode of political action, and by every form of public opinion." We make a directly opposite avowal. So far from that, we not only are compelled by the necessity of the case, but we propose in carrying out in good faith this associated brotherhood of confederated States, not to take Emancipationists alone upon our platform, not simply to appoint them to office, but we propose and invite slaveholders to act in conjunction with us, and to assist us in carrying out the Government, which we shall in all probability soon control. How can this be true? How can we then intend to harass the institution by every mode of political action? Why, gentlemen, the thing is impossible in the nature of things, and unless you have proof that we are dishonest, there is no believing that we can or desire to monopolize all the offices in the country. This allegation cannot lie against us, therefore it falls still-born at our feet.

While I have been projecting these notes to-

day, I received a copy of the Cincinnati Gazette, one of the leading Republican papers in the Union, and probably the foremost paper in the West, and which probably has the largest aggregate circulation—and I find it says that we are willing to go Crittenden, Bots, Bell, or any other slaveholder, for President, if he be the choice of the Convention. Does that look like excluding you from the Presidency, or any other office? Old John J. Crittenden, a man that I have always loved and admired, a man who, if he had been left unbiased to his own noble inspirations, would have stood where I stand, where we of the Republican party stand—by the old Henry Clay Whig ground, against the extension of slavery. Let me here read what Henry Clay says upon that subject, a sentiment which Crittenden no doubt has endorsed through a long life. The Democrats have got wonderfully in love with Henry Clay of late. The old man they abused and slandered all his life, but now they come to us and say we will defend old Henry from your assaults. The man who was persecuted for a lifetime, the man who went to his grave in sorrow under the imputations made against him by these same Democrats, is now taken up, and they call upon old line Whigs, old Clay Whigs, to come out and crush out the Republicans who stand by the doctrine of that same Clay, in favor of the non-extension of slavery. Henry Clay said in the last year of his life, in his last term of public service, in his gray-haired old age:

"Coming as I do from a Slave State, it is my solemn, deliberate and well matured determination that no power, no earthly power, shall compel me to vote for the positive introduction of Slavery either North or South of that line."

Oh, for shame, Democrats, to claim to be the protectors of the fame and glory of Henry Clay and of his principles, when there, by the last will and testament that he publicly made before the nation, he plants himself fairly and squarely upon the Republican platform. That sentiment I stand here to-night to vindicate, and the followers of Mr. Crittenden would stand up to defend it if they had full bent for their honest inclinations. God grant that he himself may stand up to it, and that they may change, for as God is, I would not sooner vote for any other man than John J. Crittenden, for every word that comes from his mouth is John J. Crittenden himself, the man that says the ground that is good to stand on is good to fall on. Yet we are accused of all these purposes.

I am pretty nearly through, gentlemen. It is not very often that I get a chance to speak to you, and when I do, I want to say as much as I can. I can't get even to talk to you through the press. I establish a press here and there, and when old Cass. Clay gets away, they jump upon my followers and put it down, and I can't speak through the post office, for a letter of mine is eight days on an hour's journey, or it never reaches its destination.

The tenth charge or allegation is substantially embraced in the ninth, and it is not necessary that I should comment upon it.

#### ACCUSATIONS WITH INTEREST.

Now "what is sauce for the goose is sauce for the gander." [Laughter.] My distinguished friend, John C. Breckinridge, has all his allegations answered by the record—not Cassius Clay says so. But he has indulged in

speculation and inference, and I intend to turn the tables on him a little in that way. [Laughter.] That is so! It is so very late, however, that I cannot possibly comment upon these various clauses; I will therefore omit discussion.

In turn, I accuse Gov. Magoffin, Vice President Breckinridge, and the Democratic party, on the following counts, seventeen of them, that is principle with interest at about the rate of seventy per cent.

1. Of obtaining and using power under false pretences. Read their last platforms.

2. Of false pretences, as a Democratic party claiming to be the special guardians and conservators of the liberty of the people, and yet ignoring those rights of the people and cancelling them by the overthrow of the great common law guards of free men, which secure them from the illegal search of the persons, papers and homes. Witness, gentlemen, all the reported cases of outrage made through all the Slave States from the beginning of the government, the formation of the Constitution, and ending in the year 1860. Look to the records of all the Slave States of the Union where outrages of this kind are not only perpetrated, but are attempted to be vindicated by the press, outrages against which there is no redress, and none even affected to be attempted to be enforced.

3. As false in the nullification of the laws of constitutional comity. See the case of Hoar and others. See the article of the Constitution which authorizes citizens of the several States to sue in the Federal Courts of the United States. You all know how that was.

4. Of violation of the treaty with Mexico. There was a war made with Mexico while she was at peace with us, where we are told in the report that our Gen. Taylor marched amidst men, women and children flying from their hearthstones in consequence of the invasion of the United States forces. [A voice—"Who made the war?"] The Democrats! They did it as they said, "to extend the area of freedom," and the way they now extend the area of freedom, I will tell you. I find a Senator of Texas was driven out of the community, (or an ex-Senator,) because he said he did not believe that it was extending the area of freedom to strike all these rights down: where he could not have his own portfolio free from search by Judge Lynch.

5. Of the practice of the Slave trade. Yes, gentlemen, distinguished persons in the South have boasted openly, not only that they intend to violate the laws prohibiting the Slave trade, but that they have proceeded to carry their purposes into execution, and had landed upon the Southern coasts what have been notoriously acknowledged to be slaves fresh from the coasts of Africa, and we have yet to learn of the first punishment for this violation of law.

#### ADVICE GRATIS.

Here I remember to speak of those Northern allies that to-day you are afraid to trust. You are right. I tell you now, you are right, and I am going to give you a little extra advice. Some of you were wanting to know how long they will stand by you. They will stand by you just so long as you pay them, and no longer, and the moment you cease to pay them, the moment you cease to have possession of the Government, so soon they will

leave you. That is the kind of men you have for your Northern allies. Gentlemen, I take it you are all men of sense, and I put it to you here to-night, if I was to get up here and say that I believed slavery was a divine institution, and that all my previous declarations were false, that I was convinced that I had been wrong, and that it was preferable to liberty, and a religious institution favored of God, as Governor Magoffin has said, would not every one of you put your hand upon your purse for fear I would steal your money? You would at once say, "That man thinks to-day as he always did, and in addition to all the rascalities we have charged upon him, he is an infernal hypocrite; we will not trust him." It is because I come out and tell you what I believe, that you to-day trust me to go among your negroes.

Move the scene over the line, and it is just the same. The man who has ever seen the sanctity of the hearthstone preserved inviolate and who has gone into some common school to receive his education, and who has watched the unparalleled developments of the free States, who reads his primer or his English reader and studies the Bible, and rises from the reading and tells you that from his observation the condition of slavery is the true condition of humanity, will some day teach you that at last the unjust thing shall not prosper, and a lie shall not live forever. He who has seen all these things, and turns round and tells you in the South, "I have lived under all these institutions, and I believe slavery to be a good thing, a divine institution, the best state of society, don't you know enough to say that that man is not fit to be trusted? Some of your orators said to-day, state the truth and make them tell the truth, survive or perish. That is the true sentiment. You ought not to trust them.

I will tell you whom you ought to trust. I trust the man who says: "Gentlemen, I don't believe that slavery is a divine institution, that it is any source of political, social and moral good, but I believe you had better try all the chemical power of Heaven and in the winds, the steam power and the power of the waters, than to hold the African in bondage, because after all it is a blunder in an economical point of view; and although we are determined to stand by your institutions, don't ask us to deny the life which we live out in living letters, so that all the nations of earth can read. We not only believe liberty is preferable, but we believe that slavery is a curse to white and black." That is the man for you to trust.

I am here to-day and gone to-morrow, but I tell you if ever the time does come when the slaveholders need aid to protect them from the violence of slaves rising for freedom, that aid will come from the men that are opposed to the Northern Democracy, and not from the Democracy of the North themselves, because there is not a logical argument on God's earth that can bring them to the conclusion which they pretend to draw. Therefore it was that Stephen A. Douglas was ready to beat you in 1857-8, when you were attempting to force slavery upon Kansas. He has backed down beyond doubt to-day, but if you had not elected him Senator, he would have been in the Republican ranks. You are right when you say you can't trust these. (A voice—"We didn't say so!") You did say so. I appeal to the reports of the convention to bear me out. This was said: "If they would not march up

to that line set down, let them go." Why let them go? Because you don't trust them, of course. If you trust them you will want them to stand by you; if they are your friends you want them all. Mr. Silvertooth said that Stephen A. Douglas was outside of the Democratic party already. Why? Because he stands upon the Democratic platform of 1856.

A voice in the crowd.—Did the Convention coincide with that view?

Mr. Clay.—Mr. Graves' resolutions were voted down, which I understood to coincide with Douglas' view.

A voice.—Was he named?

Mr. Clay.—If you vote down the doctrine and the man that makes a speech, you don't leave much of the man. (Laughter.) I tell you Douglas stands no chance. You have already degraded him from the Chairmanship of the Committee on Territories in the U. S. Senate, are you going to take him up again? Your own Senators won't trust him, can you believe in a man whose masters are continually watching him, pistol and bowie-knife in hand. Beckinridge is the boy I believe. Guthrie is an honest man, as honest a man as the Democratic party has built up for a number of years, and that is not saying much.

#### FILLIBUSTERING.

6. I charge the Democratic party with fillibustering. You all know what that means. Going out with armed bands of men from the United States, "extending the area of freedom," performing John Brown raids, entering upon general invasions to set humanity right, when the gallant old war, Commodore Paulding received instructions, if he caught Walker to bring him home. The old fellow thought the President of the United States meant what he said, and he went out, ordered his marines out, and brought home the individual, and what did the President say? Why, said he, "I have a great notion to dismiss you from the service. You are a d—d old fool!" [Laughter.] "Did I not tell you, Commodore, at Ostend, before I became a candidate of the Southern Democracy, that we wanted Cuba, and we would buy it if we could, and if Spain would not sell it we would take it in any way, and do you suppose that when we say we don't mean to have Nicaragua we don't want to have it? You are an old fool." Therefore, I say, as these men are not punished, but as Walker goes to visit the President of the United States, that you are guilty of fillibustering. If he had been taken at sea by any government of sufficient power abroad that dare execute the law contrary to your sympathy, he would have been hung until he was dead, dead, dead, and there would have been the last of Billy—the blue-eyed man of destiny.

7. You have established a censorship of the press, by a Post-Office usurpation.

8. Of a violation of the Constitution, which provides that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

9. Of sympathizing with foreign despots, as Russia and Austria against Hungary.

10. Of violating the compromise measures of 1850.

11. Of violating the compromises of 1820.

12. Of the usurpation by the Supreme Court of political power, in the Dred Scott case, where they undertake to overthrow the decisions of all the State Courts, and the acts of all the Presidents who lived in the days of the

revolution, and in the assumption by what the Courts say is obiter dicta, of powers belonging to the legislative department, political powers, not judicial.

13. Of raising a civil war in Kansas, and prosecuting John Brown raids, as I have shown.

14. Of introducing a sham "Popular Sovereignty."

15. Of an attempt to legislate slavery into the Territory of Kansas, by this latter day Le-compton movement.

16. Of denying naturalized citizens equal protection with natives.

17. Of attempting to throw the Republic into a condition of colonial vassalage, under the rule of European power.

Let us look at that. That is the last count I find. Mr. Breckinridge, the papers tell us, has said—yes, sir, John has said that there is trouble brewing. What is the matter, John? You and the Democratic party have had possession of the Government for nearly three-quarters of a century; you have put up and you have put down; you have had control of the domestic and foreign policy of the country; you have been omnipotent in States and in the Union, in the Senate and in Congress; you have had the executive and the judicial departments of the government, and the country is sick, is it? Why, what is the matter? Who has been doctoring it? Who has caused this breaking up of bonds of union of which we have heard this day? I am sad, you are sad, we are all sad. It is indeed a sorry sight, to see a people in time of peace and prosperity dragged to the verge of dissolution, and the curious part of it is, and the cruel part is, that if one of you had a wife or daughter that you tenderly love, as you ought, you would not act as you now do with this Union, that you boast of so much.

God knows, as bad a man as I am thought to be, and as Kentuckians are thought to be in general, I love my wife above all women, she is in health and she goes and comes, she smiles and cries, works and plays, and does all those things that nature designed her to do, and if I call in some doctor upon some imaginary or real affliction of the great internal course of health, and the doctor brings her to bed, the rose fades from her cheek, the bright eye becomes dull, the full and round form becomes emaciated and I say, "Why Doctor, the woman is dying, in the name of God what are you going to do?" "Well," says he, "the woman is dying; I am sorry, but I am going to vindicate myself in history." Great God, are we American people, the free people of the nation to die, and if the Union is dissolved, he intends to vindicate the Democratic party in history.

I tell you, good sense calls for a change of Doctors. The Democratic party has brought you on the road to the devil. Change your pilot—your rulers. Turn them out and put other men at the helm.

A Voice—Who do you propose?

Mr. Clay—I am willing to take for instance this much calumniated man Seward, Chase, or McLean, Lincoln, Bates, Bell, Botts, or old Kentucky's favorite son, Crittenden (applause), if we could have him fairly and squarely upon the platform. Any body except the old Doctor. I have got a sad distaste for him. (Laughter.)

#### DISSOLUTION

Let us look a little at that thing of dissolu-

tion. A body would suppose with Canada far removed, that when it has become dangerous for me to speak where there are millions of white men to a few hundred thousand slaves, that slave property had become unsafe. Dissolve the Union and move the line to the north of the Ohio, and would you have additional security? Does any man suppose—is any man mad enough to suppose that if these people, once bound together by a common brotherhood of suffering, by association in churches, by a common christianity, by the ties of education, cannot remain in peace in the Union, that they would remain in peace out of it? Does Mr. Breckinridge or Gov. Magoffin suppose such a case as that?

You have your answer when you see Gov. Wise, who in the last Presidential race, talked of seizing upon the arsenal and marching to Washington to take possession of the archives, and preventing the inauguration of a Republican President, saying, now if there is any fighting to be done it is to be done in the Union, and not out of it; when you see your Democratic orators talking round and becoming the defenders of the Union. Don't you all begin to see the folly of this thing? Don't you all see, what all men of common sense must see, that outside of the Union there lies less security for slave property? Certainly you do! No body supposes that there would be anything other than the way Mr. Caldwell said to-day. Do you suppose you would have peace? No, sir, it would be war to the knife—and the knife to the hilt. That is what would be the result. Where is your security for your slave property then? Would you eight millions of white men enter upon a contest with twenty millions and hold your slaves at home. It is not to be heard of. More safety! No! The fact is you would have to sacrifice your negroes, like France and Hungary did their slave property, at once, at the beginning of the war. Then what would you gain so far as you are slaveholders? What are the non-slaveholders to gain? Why it reminds me of a history, that a friend of mine, an ingenuous man, used to tell of a white man and an Indian. They got into a fight, and after a while the Indian proving too hard, the white man took to his heels, and while outrunning the Indian, the latter cried out, "stop, white man, stop!" and the white man halloed out, "stop! I'll be damned if I do." Why, gentlemen, you ask all of us non-slaveholders of the Union who have borne all the oppression, to sacrifice all the liberty we have, to return to those rules and regulations of despotism, against which we rose up in arms in 1776.

What do you propose to give us in lieu of this great Union as a protection? Why, the Charleston Mercury and the Richmond Enquirer say, "We will send to Louis Napoleon, and we will ask him to lend us some troops to defend us!" Oh, shame! shame! Are you going to bring us to this? Is this the reward that you offer us, that you will call on Louis Napoleon, the despot of France, and his troops, and they will defend us against these Northern traitors and fanatics. Are you ready for that, Democrats? We have been led long by Democratic leaders. Is this the feast to which you have invited us, that after you can no longer be preserved, that they will get Louis Napoleon, (they can't trust Victoria, she has too many notions of freedom about

her,) to preserve us? What does it mean? It means going absolutely back into French despotism. Are you ready for that?

The Vice President is unfortunate in his allusion to the great Athenian orator. It is we who defend the liberties of the people, and they who propose to call in Philip of Macedon—Louis Napoleon, is it not? The battles in Kansas, which were fought for the common liberty, is the reproach of Eschinos! Not only these, but all the glory of the illustrious dead is in vain, if the Democratic party consummate the subjecting us to a foreign and alien despotism! I would that I could evoke the genius of the illustrious defender of Grecian liberty, that my voice, like his could touch the hearts of my countrymen with the divine fire of my own aspirations, till they they would be again ready to cry out with one voice, "Let us march against Philip!"

No, gentlemen. That is the reason I come here to-night, because I heard this thing is talked of—because it is threatened. I come to tell you as I live, as we all live, there is not a single true Republican but that will shed his last drop of blood before he will submit to this; they will fight you for a thousand years ere they will submit; they will not relapse into French servitude.

We preach no new doctrine, we invoke no new God, but standing by the old doctrine of '76, upon which our fathers fought and died, we say, with Crittenden, that "that which is good to stand upon is good ground to fall upon." We invoke the people of the North and South to stand by the Constitution of the United States, and vindicate it beyond the possibility of a doubt. Who are the men that have avowed the intention to dissolve the Union? Look at all our record. Not a single county meeting, nor district convention, nor State assembly, nor national convention of the Republican party has ever declared that, in any emergency, will they dissolve the Union. No, sirs, we say all the time that we submit to Democratic rule while you slaveholders rule us, and we submit because we know of no other policy, no other alternative except it be force, and when that is used all law is silent, and the Government becomes a despotism; whenever you resort to violence, you have an anarchy as has Mexico, which is continually at war because it does not stand by any Constitution or law. All our pledges and our antecedents prove that we are bound to be loyal to the union of these States; and therefore, I say we can safely claim your suffrages, not taking us by our avowals, but taking us by our acts. If we have submitted for eighty years, we are willing to submit for eighty years more, unless we can persuade you to take hold of those glorious privileges which we feel to be right

#### BELPER'S CRISIS.

There is a man in Carolina whose father was born, it is said, upon North Carolina soil, and we know not how many centuries before his ancestors lived there, and it so happened that he belonged to that large class of North Carolina that may be called the working class, the non-slaveholders. He saw the influence of slavery upon the interests of that class of men, and he broke away from the trammels of that party, and published a book, and he tells

us that however good a thing slave labor is for the slaveholder, free labor is better for the non-slaveholders. He takes up the census of the United States, and he compiles it all unquestioned, and shows how the institution of the South affects the mass. He appeals to these masses, and asks them to see for themselves, and act upon their knowledge thus obtained, if this thing is not according to the doctrine of Jefferson, this which I believe was pretty good Democracy once?

Now about this book I am going to be frank. I did recommend this book. I say I have read this book carefully, and there is not a single incendiary doctrine in it—there is not a single appeal to the slave. If it be insurrection among a people professing to be free to appeal to the legal white voters of the country, for whose protection the Constitution professes to be made, to rise from a serfdom to the same power and control of the government that the free laborers and free people of the North have done, it is insurrectionary.

Let me go one step further, and say, that there were some places in that book published by him, that we did not regard as just; and inasmuch as we conceived that the slaveholders held their property on the tenure that the British held it, we thought it was a political question—we thought that the slaveholders should not be taxed. I wrote to him that that was a foolish thing, but it was understood that all these objectionable things should be expunged, as Mr. Blair, of Missouri, has said. He says it was understood that these parts were to be stricken out, not that they were incendiary, but that it was a blunder not to be urged.

I tell you, gentlemen, I stand on Helper's pamphlet, and you may make the most of what I say.

(Cries of "Go on," and "We will stand by you all night.")

I have stood by you all the long days of my youth and manhood, extinguished all the aspiration of ambition, suffered ignominy and contempt, been denounced, spurned and avoided by the men whose interests I was arguing, by the white man, and wronged by the black man; but still holding myself true to one purpose, I stand there still. What to me now are the rosy tints of life, with my hair silvered over, with my sinews stiffened with age; in the course of human events, I have but little time to remain here. I say, Kentuckians, come war, come peace, I trust in God I may have the fortune to stay there during the rest of my days, and that although the millions may depart from me, there will be in Kentucky one standby true to the last, whose aspirations may be, however visionary, however theoretical, true to the banner which I would have float over us. The same old banner of 1789—each stripe with the progress of the ages paling into a brighter galaxy of stars! In the language of Webster, its motto no such miserable interrogatory, as what is all this worth? Nor those other words of delusion and folly, "Slavery and Union,"—far less "Slavery first and Union afterwards," and yet more "Slavery with or without Union!" But his own glorious sentiments—for the which and with the which—with filial piety I walk backwards and cover his late political nakedness! "LIBERTY AND UNION, NOW AND FOREVER, ONE AND INSEPARABLE!"







